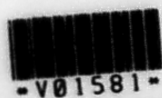
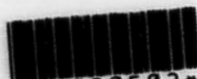


CITY OF MISSISSAUGA
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OPERATION & WORKS COMMITTEE MG.0

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THE CORPORATION OF THE CITY OF MISSISSAUGA

A G E N D A

OPERATIONS AND WORKS COMMITTEE

WEDNESDAY, FEBRUARY 1, 1989, 9:00 A.M.

RESOURCE LIBRARY - CIVIC CENTRE

Members: Councillor H. Kennedy
Councillor M. Prentice
Councillor F. Dale
Councillor F. McKechnie (Chair)
Councillor D. Culham
Councillor N. Iannicca

Prepared by: Linda Maller, Clerk's Department (896-5425)
Date: January 26, 1989

Committee Members are requested to contact the appropriate Department Heads prior to the meeting if greater explanation or detail is required with regard to any item on this agenda.

INDEX - OPERATIONS AND WORKS COMMITTEE - FEBRUARY 1, 1989

DEPUTATIONS/PRESENTATIONS - 9:00 A.M.

A. Mr. Edmond Meyers, The EM Research Associates

F.06.01

SEE ITEM 1

B. Mr. W.B. Waugh, Petro-Canada Products

SP 227-88

SEE ITEM 2

MATTERS FOR CONSIDERATION:

- | | | |
|-----|----------------------------------|--|
| 1. | F.06.01 | Mississauga Traffic and Transportation Problems |
| 2. | SP 227-88 | Petro Canada - Sidewalk Contribution |
| 3. | M-662 | Venchiarutti Subdivision - Easement |
| 4. | CDM 87-543 | Walden Circle Developments Limited |
| 5. | L.02.04.21 | Muskateer Billiards - License Renewal |
| 6. | M-709 M-683 | Erin Mills Development Corporation - Release of Building Permits on Glen Erin Drive btn Credit Valley Road/Highway 403 |
| 7. | M-399 | The Cadillac Fairview Corporation - Assumption of Works |
| 8. | E.02.14 E.02.06.01 F.03.01 | McGill Street Petition |
| 9. | F.06.04.02 | Ponytrail Drive - Parking Prohibition |
| 10. | F.06.04.02 | Redfox Road - Parking Extension |
| 11. | B.06.02 | Karolfam Properties - Quit Claim of Permanent Easement |
| 12. | A.02.03.02.22 | Ministry of Transportation - Highway 401/403/410 Interchange |

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- | | | |
|-----|---------------|---|
| 13. | A.03.04.11.02 | Traffic Safety Council Report 1-89 - January 25, 1989 |
| 14. | F.06.01 | Balsam Avenue - Vehicle Speeds |
| 15. | M-449 | Pinetree Development Co. Ltd. - Return of 15 Metre Wide Access Strip |

CITY OF MISSISSAUGA

A G E N D A

OPERATIONS AND WORKS COMMITTEE

FEBRUARY 1, 1989

DEPUTATIONS/PRESENTATIONS - 9:00 A.M.

- A. Mr. Edmond Meyers, The EM Research Associates
F.06.01
SEE ITEM 1
- B. Mr. W.B. Waugh, Petro-Canada Products
SP 227-88
SEE ITEM 2

MATTERS FOR CONSIDERATION:

1. Letter dated November 4, 1988, from Mr. Edmond Meyers, General Manager of The Em Research Associates, requesting an opportunity to appear before the Operations and Committee regarding traffic problems in Mississauga. Mr. Meyers has expressed concern regarding non-synchronization of traffic control signals and the lack of street numbers on buildings. Attached is a letter from the Commissioner of Public Works to Mr. Meyers subsequent to a meeting held with City Staff to discuss his concerns.

Mr. Meyers will address the Committee regarding these matters.

F.06.01
2. Report dated December 2, 1988, from the Commissioner of Public Works in response to a request from Petro-Canada for an exemption from the payment of monies for a future sidewalk on North Sheridan Way.

The Petro Canada request is based on the fact that Resolution 32 (1982) applies only to new developments; however, Staff take the position that if site plan approval is required then the policy applies. Further the policy makes no provision for exemption and has been applied to all site plans since it was adopted.

RECOMMENDATION:

That the request by Petro Canada Products for an exemption from the payment of monies for a future sidewalk on North Sheridan Way in connection with Site Plan Application SP-227/88W at 2489 North Sheridan Way be denied.

This report was included on the agenda of January 5, 1989, and deferred to this meeting.

It is expected a Representative of Petro Canada will appear before the Committee regarding this matter.

SP 227-88

3. Report dated January 9, 1988, from the City Solicitor regarding an easement provided to the City and the Region to undertake works on Glen Oaks Blvd. The owner of the land, Venchiarutti Construction, has requested that these works be undertaken with the least possible damage and that the lands be restored to their original state. An agreement has been prepared between the three Parties to this effect.

RECOMMENDATION:

That a by-law be enacted to authorize execution of an Agreement dated April 28, 1987, between Venchiarutti Construction, the Regional Municipality and the City of Mississauga regarding an amendment of Schedule "S" to Instrument No. LT 632528 so that the lands will be restored to their original state following any work.

M-662

RECOMMEND ADOPTION

4. Report dated January 18, 1988, from the City Solicitor regarding an Agreement by the Developer, Walden Circle Developments Limited, to maintain the berm constructed adjacent to the Spur Line along the east side of Walden Circle.

RECOMMENDATION:

That a by-law be enacted to authorize execution of an Agreement between Walden Circle Developments Limited and The Corporation of the City of Mississauga for the maintenance of the berm constructed adjacent to the Spur Line along the east side of Walden Circle.

CDM 87-543

RECOMMEND ADOPTION

5. Report dated January 23, 1988, from the Commissioner of Public Works regarding the license renewals for Muskateer's Billiards, 3233 Brandon Gate Drive, Mississauga.

At the Operations and Works Committee of June 15, 1988, it was requested that staff prepare an 'In Camera' report for Council on June 27, 1988, regarding the issuance of a license to Muskateer's Billiards. Council went In Camera to discuss this matter and the minutes of the meeting show that no resolution resulted.

Reports in June 1988 showed that the premises were inspected by staff of our Licensing Section on June 17, 1988, and the Billiard Hall was in a clean and satisfactory condition at that time. A further inspection was made on June 23, 1988, which also revealed that the condition of the premises was satisfactory. We also requested that the Peel Regional Health Unit make an inspection of the premises and they did so on June 21, 1988, and issued a letter of approval on June 22, 1988, (copy of letter attached).

From the June 27, 1988 date that Council discussed this matter through to the present date, staff have not received any complaints relating to this business. Furthermore, a number of inspections were conducted by staff during 1988 as well as two inspections during January 1989 and the premises were found to meet all the standards required under the By-Law. Twelve (12) video arcade machines were found on the premises compared to seven (7) found during the 1987 licensing period.

The Peel Regional Police have been contacted and cannot provide any specific information that would justify the refusal of a licence on the basis of same being contrary to the public interest. The City has been advised that 1988 had considerably less police involvement at the Plaza in question than 1987.

Staff, upon reviewing the matter using the various rules suggested by the City Solicitor in his November 1987 article in Municipal World (copy attached) and upon noting the fact the premises were in good order during 1988 and 1989 as indicated above, have concluded that the licences should be issued.

RECOMMENDATION:

That the 1988 and 1989 licences for Muskateer Billiards, 3233 Brandon Gate Drive, Mississauga, be renewed.

L.02.04.21

RECOMMEND ADOPTION

6. Report dated January 19, 1988, from the Commissioner of Public Works in response to a request from the Erin Mills Development Corporation that building permits be released for those lots on Glen Erin Drive between Credit Valley Road and Highway 403 which were restricted until such time as the overpass over the 403 was completed.

The construction is well along and the anticipated completion date is July 1989. In the opinion of the Public Works Department it would be beneficial to have the house construction take place prior to the opening of Glen Erin Drive across Highway 403.

RECOMMENDATION:

That with respect to the Servicing Agreements for Plan of Subdivision 43M-683 and the Servicing Agreement for Plan 43M-709, the following apply, The Erin Mills Development Corporation (lands located at Glen Erin Drive/Highway 403):

- (a) That Item 7 (b) of Schedule 'B' of the Servicing Agreement for 43M-683 be waived;
- (b) That Item 1 (d) of Schedule 'C' of the Servicing Agreement for Plan 43M-683 be waived and Building Permits for lots 104 through 124 on Plan 43M-683 be issued providing that all of the usual requirements have been met;
- (c) That Item 1 (f) of Schedule 'C' of the Servicing Agreement for Plan 43M-709 be waived and Building Permits for lots 1 through 14 and lots 46 through 49 of Plan 43M-709 be issued providing all of the usual requirements have been met.

M-709
M-683

RECOMMEND ADOPTION

7. Report dated January 11, 1988, from the Commissioner of Public Works regarding the assumption of the municipal works for Erin Mills Neighbourhood 110, Registered Plan M-399, located north and south of Burnhamthorpe Road, and east of Mississauga.

As far as the Public Works Department is concerned, the developer has complied with all the requirements of the Engineering Agreement for the installation of municipal services in the above-mentioned plan. The remaining securities in the amount of \$121,710.27 (\$35,583.82, \$86,126.45) should be released to the developer, Cadillac Fairview Corporation Limited.

RECOMMENDATION:

- (a) That the City of Mississauga assume the municipal works as constructed by the developer under the terms of the Engineering Agreement for Erin Mills/ Neighbourhood 110, Registered Plan M-399, located east on Burnhamthorpe Road east of Mississauga Road
- (b) That the City Treasurer be authorized to return the Letters of Credit securing the Engineering Agreement for Plan M-399 (currently valued at \$35,583.82, \$86,126.45) to the developer, Cadillac Fairview Corporation Limited.
- (c) That a by-law be enacted establishing the road allowances within Registered Plan M-399 as public highway and part of the municipal system of the City of Mississauga.

M-399

8. Report dated January 19, 1988, from the Commissioner of Public Works with respect to the McGill Street petition.

An October 12, 1988 report dealt with several items raised in a petition dated August 6, 1988 from residents of McGill Street. One of the items being the walkway link from the westerly end of McGill Street to the apartment building was deferred in order that the Public Works Department could contact the Planning Department, the Recreation & Parks Department and the School Boards to determine the need for a walkway.

The Peel Board of Education and the Recreation & Parks Department feel that the walkway serves a useful purpose and should not be closed.

RECOMMENDATION:

That the walkway connecting the westerly end of McGill Street to the apartment building at 100 Dundas Street West not be closed and that Mrs. F. Monticciolo, 134 McGill Street, Mississauga, L5A 1V2 be so advised.

E.02.14
E.02.06.01
F.03.01

RECOMMEND ADOPTION

9. Report dated January 6, 1988, from the Commissioner of Public Works in respect to a request for a parking prohibition in front of the walkways on Ponytrail Drive.

Staff from the Public Works Department met with Ms. Harvey with respect to parked vehicles on Ponytrail Drive obstructing garbage pick-up at the Russet Homes Cooperative. The waste collectors are currently experiencing problems accessing the refuse when vehicles are parked in front of the walkways from this complex. It was concluded that three of the walkways require a clear access to Ponytrail Drive in order that they may be used as pick-up points for waste.

RECOMMENDATION:

That a by-law be enacted to amend By-law 444-79, as amended, to implement a 'No Parking Anytime' prohibition on the north side of Ponytrail Drive, as follows:

- (i) from a point 38 metres east of Fieldgate Drive to a point 4 metres easterly thereof;
- (ii) from a point 98 metres east of Fieldgate Drive to a point 4 metres easterly thereof;
- (iii) from a point 184 metres east of Fieldgate Drive to a point 4 metres easterly thereof.

F.06.04.02

RECOMMEND ADOPTION

10. Report dated January 6, 1988, from the Commissioner of Public Works in response to a petition from the residents of Redfox Road to permit extended on-street parking for a period of 12 hours on Redfox Road.

An exemption from the 3-hour parking limit was requested to allow for overnight parking. Each of the single family homes on Redfox Road have a minimum of 200% on-site parking, including driveway and garage. Based on a review by Public Works staff it is felt that this may have been requested simply for convenience and not in the interest of traffic safety or necessity.

RECOMMENDATION:

That in accordance with City Council policy, extended 12-hour on-street parking not be implemented on Redfox Road as a minimum of 200% on-site parking is available for each property, with some area available for expansion.

F.06.04.02

RECOMMEND ADOPTION

11. Report dated January 25, 1988, from the City Clerk with respect to the permanent easement acquired for storm sewer purposes on the south side of Dundas Street East. Karolfam Properties Inc., the current owners of 2070 Dundas Street East, which is subject to the described easement, are presently arranging a mortgage and have requested the City to consider quit claiming the said easement.

The Public Works Department have reviewed the request and are in favour of granting a quit claim of the easement as alternate storm drainage has been provided to the City resulting from redevelopment in the area.

RECOMMENDATION:

That a by-law be enacted authorizing execution of a Quit Claim in favour of Karolfam Properties Inc., for a storm sewer easement described in Instrument No. 70439VS, Registered March 29, 1968 as Parts 2, 3, 5, 7, 9, 14 and 15 on deposited Reference Plan 43R-659 (Karolfam Properties Inc., 2070 Dundas Street East).

B.06.02

RECOMMEND ADOPTION

12. Letter dated January 10, 1989, from Mr. B.D. Riddell, Regional Director, Ministry of Transportation and Communications in response to the following recommendation (OW-489-88) adopted by Council on December 19, 1988:

That the Ministry of Transportation be requested:

- (a) to expedite the current project for the construction of Highway 401/410 connections such that
 - (i) the construction of Highway 403/410 connection can be tendered in 1989 instead of the currently planned 1990; and
 - (ii) the construction of Highway 401 core lanes from just east to just west of Highway 403/410 can be tendered in 1990 instead of the currently planned 1991.
- (b) to review the timing of the reconstruction of the Highway 401/Hurontario Street Interchange and the extension of the Highway 403/410 and to program these works immediately after the Highway 401/403/410 interchange works are completed; and
- (c) to install traffic signals at the Highway 410/Courtneypark Drive ramp terminal in conjunction with the opening of the ramp to traffic.

A.02.03.02.22

RECOMMEND RECEIPT

13. Report 1-89 of the Traffic Safety Council meeting held on January 25, 1989.

A.03.04.11.02

RECOMMEND ADOPTION

14. Report dated January 23, 1988, from the Commissioner of Public Works regarding vehicle speeds on Balsam Avenue.

City Council at its meeting of September 12, 1988 adopted the Operations and Works Committee recommendation OW-351-88 requesting that the Peel Police provide vigorous enforcement of the 50 km/hr speed limit on Balsam Avenue over the next 60 days and have the results reported back to the Operations and Works Committee through the Public Works Department.

On the basis of the Peel Regional Police speed enforcement results, and on the results of previous studies completed by the Public Works Department, it is evident that vehicle speeds on Balsam Avenue are acceptable and that further action in the form of a posted speed reduction or the implementation of additional traffic control devices is not required.

RECOMMENDATION:

That the report dated January 23, 1989 from the Commissioner of Public Works providing information dealing with vehicle speeds and the results of the Peel Police radar enforcement program on Balsam Avenue, be received, and a copy forwarded to Mr. E. Reid of 1847 Balsam Avenue.

F.06.04

RECOMMEND ADOPTION

15. Report dated January 12, 1988, from the Commissioner of Public Works regarding a return of the 15 metre wide access strip located north of Britannia Road East/west of Tomken Road to the developer, Pinetree Development Co.

A condition of the servicing agreement required Block 21 to be developed in conjunction with the adjacent lands as this strip of land would serve to provide access to the adjacent lands. The City is in receipt of acceptable documentation from the Owner of the land adjacent demonstrating that the block shall be developed in conjunction with adjacent lands.

RECOMMENDATION:

That that part of Block 21 on Plan 43M-449, Pinetree Development Co. Industrial Subdivision, located north of Britannia Road East/west of Tomken Road, transferred from Pinetree Development Company Limited in favour of the City of Mississauga and registered in the Land Registry Office at Brampton on September 25, 1986, as Instrument No. LT681441 be returned to the developer, Pinetree Development Company Limited.

M-449

RECOMMEND ADOPTION

THE EM RESEARCH ASSOCIATES

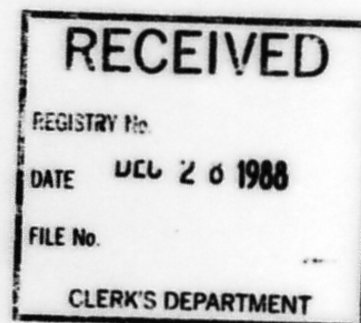
P.O. Box 1172 Station B
Mississauga, Ontario
Canada L4Y 3W4
(416) 896-0277
or (519) 748-9461

November 4, 1988

OPERATIONS/WORKS FEB 1 1989

Clerk's Department
City of Mississauga
300 City Centre Drive
Mississauga L5B 3C1

Att'n: Linda Mailer



Dear Ms. Mailer:

With reference to Mr. W. P. Taylor's letter of October 17, 1988 and our letter of July 27, 1988 addressed to Mr. T. L. Julian, we request that an Operations and Works Committee Meeting be called on the subject of Traffic Problems in Mississauga.

We look forward to your written response in the near future.

Yours sincerely,

Edmond Meyers,
General Manager.

EM/ag

1(a)

Public Works Department

City of Mississauga
300 City Centre Drive
Mississauga, Ontario
L5B 3C1

Tel (416) 896-5000
FAX (416) 896-5220



File: 13 211 00201
13 211 00208

October 17, 1988.

OPERATIONS/WORKS FEB 1 1989

The EM Research Associates
P.O. Box 1172 Station B
Mississauga, Ontario
L4Y 3W4

Attention: E. Meyers, General Manager.

Re: Traffic Problems -
City of Mississauga

Dear Mr. Meyers,

This letter is in response to your letter dated July 27, 1988 to the City Clerk regarding several traffic problems within the City of Mississauga, and your subsequent meeting with Mr. Bill Daeuber and Mr. Kees Schipper.

The first concern you raised was with regards to the non-synchronization of traffic control signals within the City of Mississauga. Mr. Daeuber explained that the City has a Central Traffic Control System which provides interconnection of the traffic signals within the City. The traffic signals are optimized based upon the measured traffic volumes and updated periodically. It was explained that these interconnected traffic signals operate in what is termed a "semi-actuated mode". This may explain why you feel the traffic signals operate in a random fashion however, it was explained that by using semi-actuation any excess "green time" can be provided to the major street.

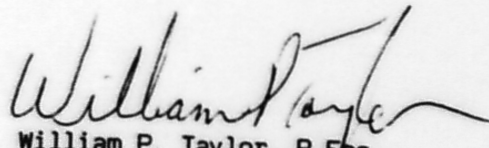
Your second concern had to do with the lack of street numbers on buildings within the City of Mississauga. It was explained that the City has a by-law controlling the numbering of buildings which requires that newly constructed buildings will have municipal address numbers of at least 4" in height, placed in a clearly visible location from the nearest municipal roadway. A copy of the by-law is attached for your information.

.... /2

1 (b)

I trust this information is satisfactory. Should you still wish to appear as a deputation before the Operations and Works Committee please contact Linda Mailer of the Clerk's Department at 896-5425.

Yours truly,


William P. Taylor, P.Eng.,
Commissioner,
Public Works Dept.

MP/dab
0271E

c.c. Councillor Taylor.



Corporate Report

JAN 05 1989

OPERATIONS/WORKS

DEC 4 1988

OPERATIONS/WORKS

Received by
Clark's Dept.

Clark's File

SP227-88

Originator's
File

11 141 00046
SP-227/88W

FEB 1 1989

DATE: December 2, 1988 OPERATIONS/WORKS
TO: Chairman and Members of the Community Planning and Development Committee
FROM: William P. Taylor, P.Eng., Commissioner of Public Works
SUBJECT: Major Sidewalk Construction

ORIGIN: Request by Petro-Canada Products, 2489 North Sheridan Way for exemption from the payment of monies for a future sidewalk on North Sheridan Way as a condition of site plan approval for Application SP-227/88W.

BACKGROUND: (1) On January 25, 1982 Council by Resolution #32 adopted the following:

BE IT RESOLVED THAT

- (a) On draft plans of subdivision which have not been approved by Council as of January 25, 1982, the developers be required to pay the City the cost of constructing a sidewalk on a major road which abuts their plan of subdivision (where no sidewalk exists at the present time).
 - (b) That all rezoning and site plan applications which have not been approved by Council as of January 25, 1982, be required to pay for the cost of constructing a sidewalk on a major road which is adjacent to the development (where no sidewalk exists at the present time).
 - (c) That the cash in lieu of sidewalk construction payments on major roads be deposited in a special reserve account with interest to be credited to the Special Sidewalk Reserve Account, and that a specific amount be withdrawn annually from the account for sidewalk construction along major roads on a City-wide basis.
- (2) In accordance with Clause (b) of the above Resolution Petro-Canada Products were requested to pay the City of Mississauga monies for the future construction of a concrete sidewalk on North Sheridan Way as a condition of approval for their Site Plan Application SP-227/88W.

Continued. . .

December 2, 1988

PRESENT STATUS: Petro-Canada Products are requesting an exemption from the payment of the monies for the future sidewalk on North Sheridan Way on the basis that Council Resolution #32 of 1982 applies only to new developments and not to the expansion of an existing building which is the reason for their site plan application.

This department has always taken the position that if site plan approval is required then the policy applies.

COMMENTS: Clause (b) of Council Resolution #32 of 1982 makes no provision for exemption of existing developments from the payment of monies for future sidewalks and has been applied to all site plans on major roads since its adoption by Council in 1982.

CONCLUSION: Petro-Canada Products should be required to pay for a future sidewalk in accordance with Council Resolution #32 of 1982.

RECOMMENDATION: That Petro-Canada Products' request for exemption from the payment of monies for a future sidewalk on North Sheridan Way in connection with Site Plan Application SP-227/88W at 2489 North Sheridan Way be denied.

W.P. Taylor
W.P. Taylor, P.Eng.
Commissioner
Public Works Department

CO
dm
0486W

attach.

2(a)

PRESENT STATUS: Petro-Canada Products are requesting an exemption from the payment of the monies for the future sidewalk on North Sheridan Way on the basis that Council Resolution #32 of 1982 applies only to new developments and not to the expansion of an existing building which is the reason for their site plan application.

This department has always taken the position that if site plan approval is required then the policy applies.

COMMENTS: Clause (b) of Council Resolution #32 of 1982 makes no provision for exemption of existing developments from the payment of monies for future sidewalks and has been applied to all site plans on major roads since its adoption by Council in 1982.

CONCLUSION: Petro-Canada Products should be required to pay for a future sidewalk in accordance with Council Resolution #32 of 1982.

RECOMMENDATION: That Petro-Canada Products' request for exemption from the payment of monies for a future sidewalk on North Sheridan Way in connection with Site Plan Application SP-227/88W at 2489 North Sheridan Way be denied.

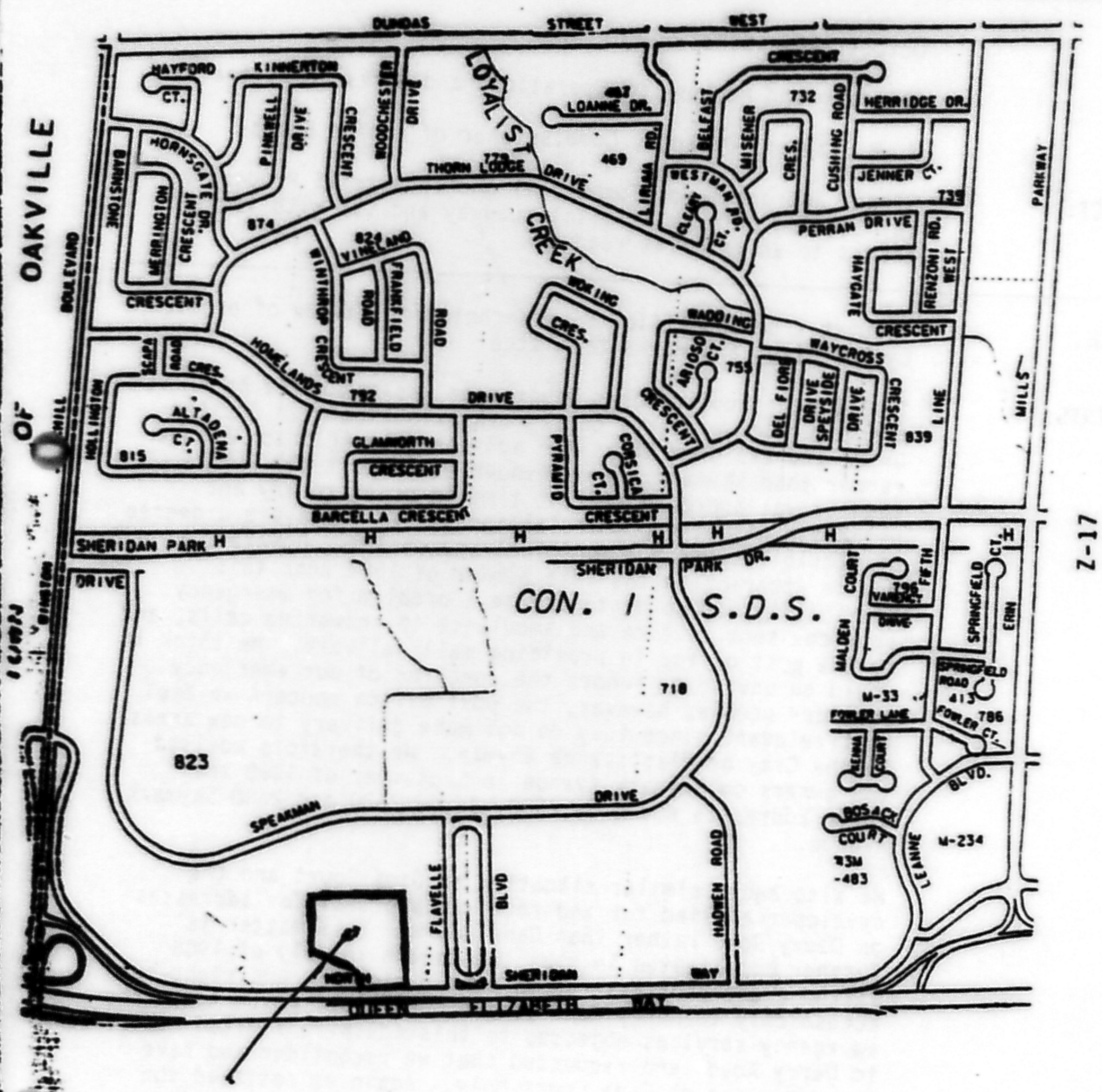
W.P. Taylor
W.P. Taylor, P.Eng.
Commissioner
Public Works Department

CO/dm
0486W

attach.

2th

Z-25





Corporate Report

Received by JAN 24 1989
Clerk's Dept.

Clerk's Files M-662 Co

Originator's P-596
Files

OPERATIONS/WORKS FEB 1 1989

DATE: January 9, 1989
TO: CHAIRMAN AND MEMBERS OF OPERATION AND WORKS COMMITTEE
FROM: Bruce E. Thom, Q.C., City Solicitor
SUBJECT: Venchiarutti Subdivision
Sanitary Sewer Easement
Entrance Gates Agreement
Amendment of Easement
43M-662, Parts 14-24 and 30, Plan 43R-13349

ORIGIN: Request by Regional Municipality of Peel

COMMENTS: Pursuant to Schedule B of the Servicing Agreement for plan of subdivision 43M-662, Venchiarutti Construction Limited conveyed an easement to the City of Mississauga and the Regional Municipality of Peel for the purposes of installing and maintaining sewers, drains, watermains and open water courses for lands described as Part of Lots 1 to 8 all inclusive and Part of Lots 51, 52 and 53, Plan 43M-662, designated as Parts 14 to 24 all inclusive and Part 30 on Plan 43R-13349. Venchiarutti Construction Limited has requested that the Schedule to the Easement be amended to the extent that the City and the Region expressly undertake to do all work with the least possible damage to the lands and to restore the lands as nearly as possible to their previous state after the completion of any work. The amendment to the easement is being effected by way of an agreement between Venchiarutti Construction Limited and The Corporation of the City of Mississauga and The Regional Municipality of Peel. The Agreement has been reviewed by our Public Works Department and found to be satisfactory.

3(a)

CHAIRMAN AND MEMBERS OF
OPERATION AND WORKS COMMITTEE

- 2 -

January 9, 1989

CONCLUSION:

It is in order that the City enter into the Agreement dated April 28, 1987 between Venchiarutti Construction Limited and The Corporation of the City of Mississauga and The Regional Municipality of Peel.

RECOMMENDATION:

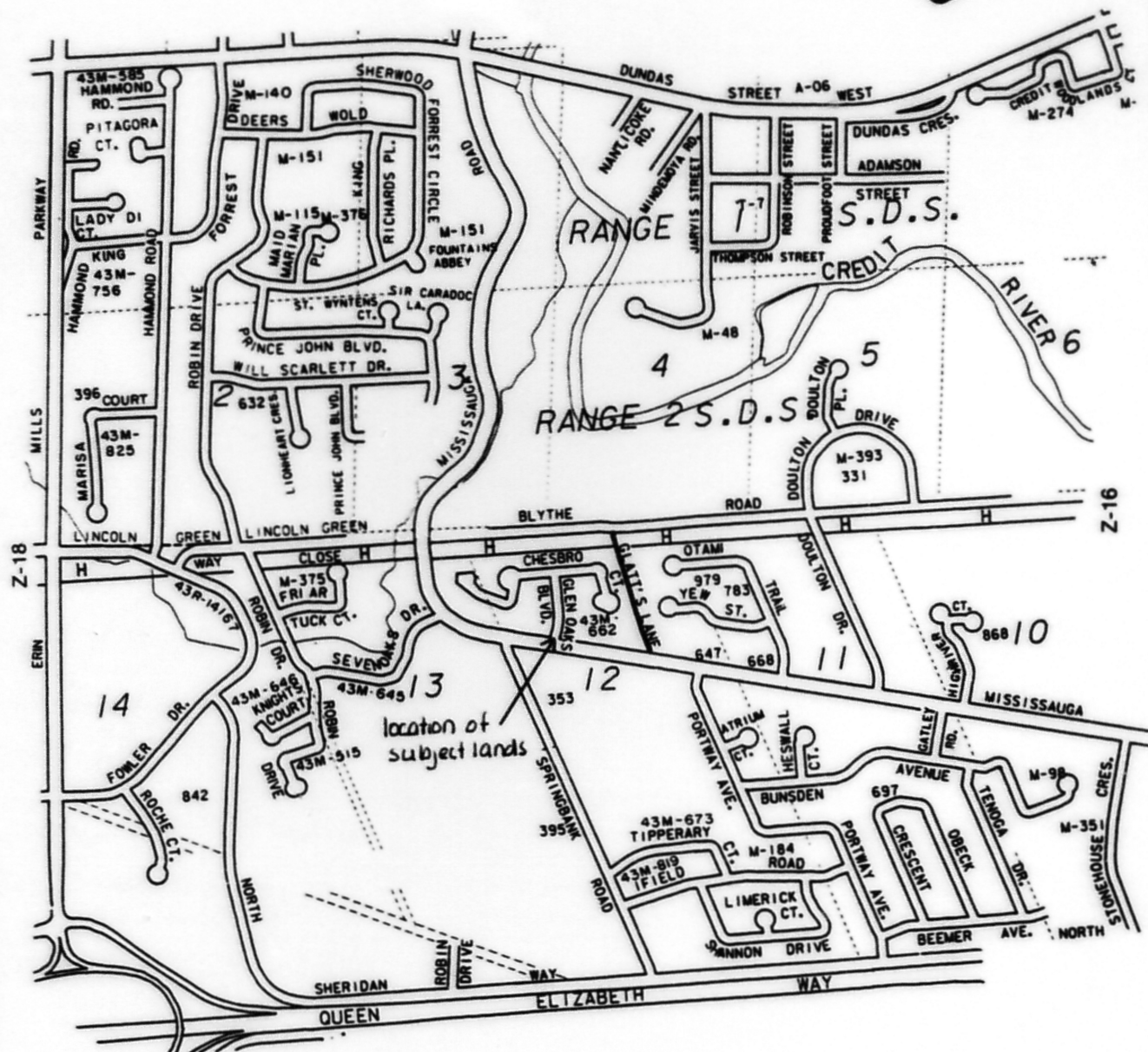
That a by-law be enacted authorizing the Mayor and the Clerk to execute the Agreement dated the 28th day of April, 1987 between Venchiarutti Construction Limited and The Corporation of the City of Mississauga and The Regional Municipality of Peel.

Bruce E. Thom

BRUCE E. THOM, Q.C., CITY SOLICITOR

JAM:cp

3(b)



Z-17



Received by JAN 24 1989
Clerk's Dept.

Clerk's Files CDM-87543

FEB 1 1989
OPERATIONS/WORKS

Originator's Files CDM 87-543

DATE: January 18, 1989
TO: CHAIRMAN AND MEMBERS OF OPERATION AND WORKS COMMITTEE
FROM: Bruce E. Thom, Q.C., City Solicitor
SUBJECT: Walden Circle Developments Limited
Part of Lot 30, Concession 2, S.D.S.
Execution of Agreement

ORIGIN: City Solicitor

BACKGROUND: Pursuant to Condition 13 (a) of development approval, Walden Circle Developments Limited was required to construct a safety berm along the east side of Walden Circle adjacent to the Spur Line to the satisfaction of CN and the City's Public Works Department. Owing to its steep grade the Recreation and Parks Department is unable to maintain the berm but is satisfied to have the Condominium Corporation do so.

COMMENTS: The developer Walden Circle Developments Limited, by the Agreement attached undertakes to cause the Condominium Corporation to execute the form of maintenance agreement appended as Schedule "B" thereto and to cause registration of the maintenance agreement prior to the transfer of any condominium units. The Recreation and Parks Department has approved the terms of the maintenance agreement.

CONCLUSION: That the Agreement between Walden Circle Developments Limited and the City be executed.

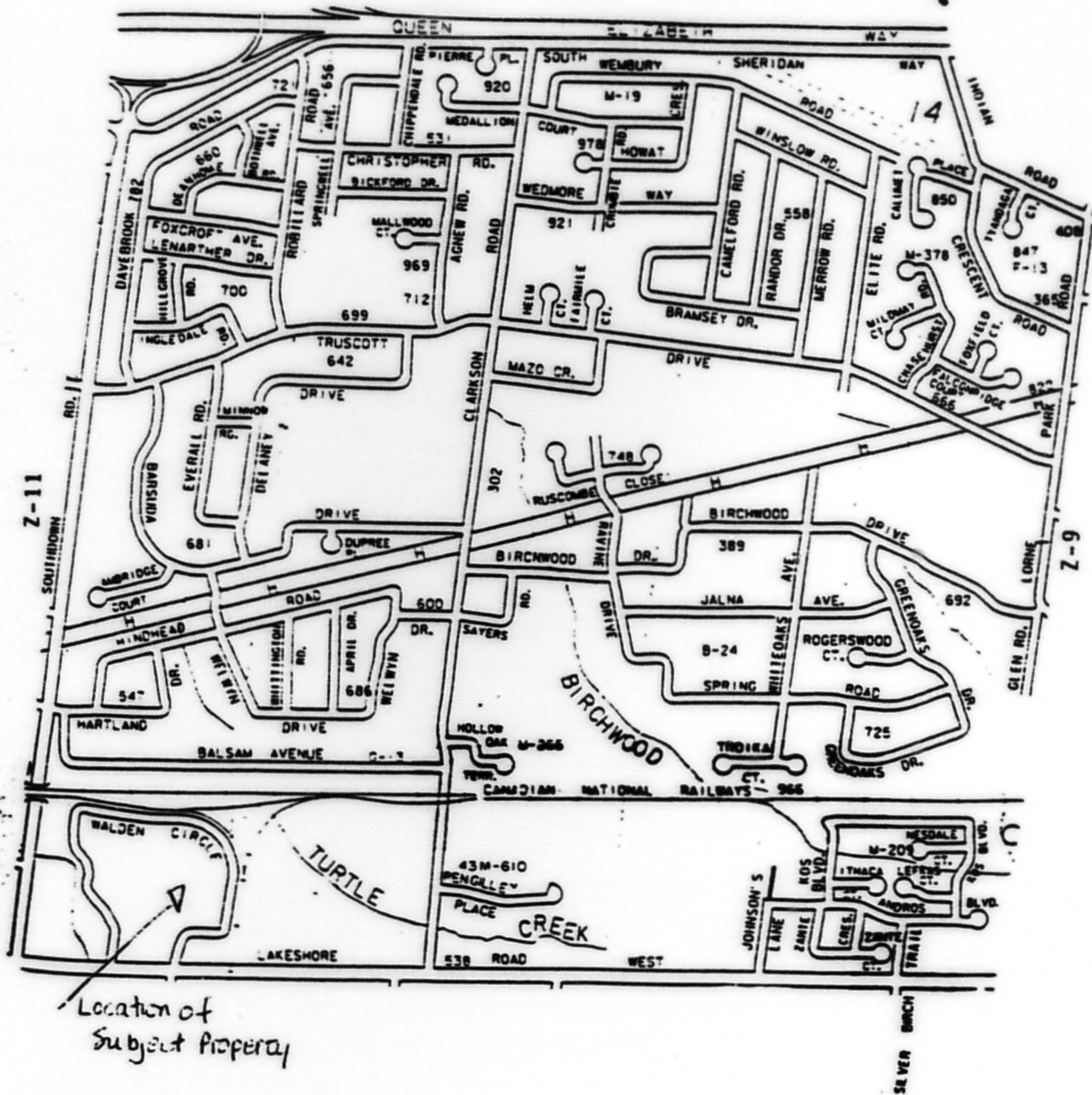
RECOMMENDATION: That a by-law be enacted authorizing execution of the Agreement between Walden Circle Developments Limited and The Corporation of the City of Mississauga.

Bruce E. Thom
BRUCE E. THOM, Q.C., CITY SOLICITOR

JAM:cp

Z-17

4(a)



Z-3

Z-10



Received by
Clerk's Dept.

Clerk's Files

L.02.04.21

Originator's
Files

DATE: January 23, 1989
TO: Chairman and Members of Operations and Works Committee.
FROM: William P. Taylor, P. Eng.
Commissioner of Public Works
SUBJECT: Muskateer's Billiards License Renewals
3233 Brandon Gate Drive, Mississauga

ORIGIN: Council, June 27, 1988.

BACKGROUND: At the Operations and Works Committee of June 15, 1988, it was requested that staff prepare an 'In Camera' report for Council on June 27, 1988, regarding the issuance of a license to Muskateer's Billiards. Council went In Camera to discuss this matter and the minutes of the meeting show that no resolution resulted.

Reports in June 1988 showed that the premises were inspected by staff of our Licensing Section on June 17, 1988, and the Billiard Hall was in a clean and satisfactory condition at that time. A further inspection was made on June 23, 1988, which also revealed that the condition of the premises was satisfactory. We also requested that the Peel Regional Health Unit make an inspection of the premises and they did so on June 21, 1988, and issued a letter of approval on June 22, 1988, (copy of letter attached).

COMMENTS: From the June 27, 1988 date that Council discussed this matter through to the present date, staff have not received any complaints relating to this business. Furthermore, a number of inspections were conducted by staff during 1988 as well as two inspections during January 1989 and the premises were found to meet all the standards required under the By-Law. Twelve (12) video arcade machines were found on the premises compared to seven (7) found during the 1987 licensing period.

1059E/p9

.../2

5(h)

The owners of Musketeer Billiards have retained the services of the law firm of Weir & Foulds in respect to obtaining a renewal of their licences for the premises. (see attached letter from Weir & Foulds)

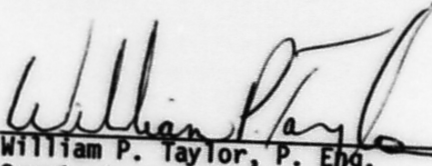
The Peel Regional Police have been contacted and cannot provide any specific information that would justify the refusal of a licence on the basis of same being contrary to the public interest. The City has been advised that 1988 had considerably less police involvement at the Plaza in question than 1987.

CONCLUSION:

Staff, upon reviewing the matter using the various rules suggested by the City Solicitor in his November 1987 article in Municipal World (copy attached) and upon noting the fact the premises were in good order during 1988 and 1989 as indicated above, have concluded that the licences should be issued.

RECOMMENDATION:

That the 1988 and 1989 licences for Musketeer Billiards be renewed.


William P. Taylor, P. Eng.
Commissioner of Public Works

BB/1k
1059E/p10



The Regional Municipality of Peel

Health Department

June 22, 1988

Mr. Ron Nisbet,
License Manager,
City of Mississauga,
Public Works Department,
8th. Floor,
300 City Centre Drive,
Mississauga, Ontario.
L5B 3C1

RE: Application for License,
Muskateer's Billiards,
3233 Brandongate Drive, Unit 4,
Malton, Mississauga, Ontario.
Your File No: 90208

Dear Mr. Nisbet:

We have no objection at this time to the issuance of a license
for the above mentioned premises.

Yours truly,

Leslie Blades

Leslie Blades, C.P.H.I. (C), B.A.A.,
Public Health Inspector,
LB:sa

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December 20, 1988

DELIVERED

Corporation of the City
of Mississauga
Licensing Section
Public Works Department
300 City Centre Drive
Mississauga, Ontario
L5B 3C1

Attention: Mr. Ronald Nisbet

Dear Sirs:

**RE: Musketeer Bar Billiard
Licence File No. 90208**

We have been retained by Joe and Anna Mariano, the owners of Musketeer Bar Billiard located at 3233 Brandon Gate Drive, Mississauga, with respect to the licencing of the businesses conducted at those premises.

We are advised by our clients that they have, for approximately seven years, held licences permitting them to carry on the businesses of tobacco sales, a billiard room, a lunch counter and an amusement arcade. We are advised by our clients that, beginning in the fall of 1987, they attempted to have those licences renewed for 1988. We are advised by our clients that they have made a sustained attempt, since that date, to have the licences renewed. We are advised by our clients that they have received no indication that they are not in compliance with the requirements of the relevant by-laws; indeed, we are advised by our clients that they have been told by the staff of the Licensing Section that the premises are in compliance and that the licences ought to have been issued. We are advised by our clients that they have been given no indication as to why the licences have not been renewed.

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|-------------------------|----------|------|
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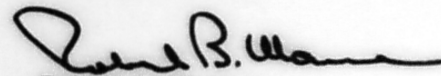
BRAMPTON

5421
Our office has, without success, attempted over the last few days to obtain information from your office as to why these licences had not been renewed. We would appreciate your having the licences issued, for both 1988 and 1989. If there is some reason why the licences cannot be renewed, for either year, we would appreciate your so advising us so that our clients may take whatever steps are necessary to have the licences issued.

If we do not hear from you on this matter by December 27, 1988, we will seek instructions from our clients to take the steps necessary to have the licences issued.

Yours very truly,

WEIR & FOULDS

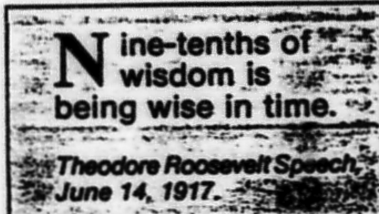

Robert B. Warren

RBW:vk

cc: Musketeer Bar Billiard

Revocation and renewal of licences

Bruce E. Thom, Q.C. (Alta)
City Solicitor, City of Mississauga



No area of municipal law has been litigated over the past several decades more than the issue of the granting and revocation of municipal licences. Despite this fact, there still remains much confusion, due in part to changes over time in the rules of administrative law. A timely review of the type of licensing power that also includes powers to regulate and govern the licensee is in order.

With respect to revocation, the power to revoke a licence must be expressly given or it does not exist.¹ It is for this reason that many (although not all) sections in the *Municipal Act* dealing with licensing have the words "and for revoking any such licence" added at the end thereof.

The courts have over time taken two differing views of our licensing power. On the one hand, the courts sometimes give us wide authority:

Municipal councils are given a wide discretion to grant or refuse business licences and this court is empowered to intervene only when it is shown that the discretion was not exercised in good faith, without discrimination and in the public interest.²

On the other hand, other decisions have taken a narrow view of our powers in this area:

All licensing is an interference with the natural right to pursue freely one's life and fortune... it has always been held by courts that licensing power must be strictly confined within its proper limits.³

The above illustrates why in every lawsuit one lawyer is wrong. It is not

necessarily that he appears without previous authority to support his position; rather, it is just that the court decides to follow the previous authority which the other lawyer has brought with him on the very same point.

In an effort to resolve this area to some extent, the Legislature several decades ago enacted what is now subsection 110(6) of the *Municipal Act*.

That section provides basically that in granting, refusing or revoking a licence, a council acts entirely within its own discretion "and is not bound to give any reason for refusing or revoking a licence and its action is not open to question or review by any court."

REASON AND JUSTICE

Now, one would have thought that this would end the matter. Far from it.

In *Re Ross and Board of Commissioners of Police for the City of Toronto*,⁴ the court, in reviewing the predecessor of this section, wrote as follows:

(council must act) according to the rules of reason and justice, not according to private opinion... according to law and not humour. It is to be not arbitrary, vague and fanciful, but legal and regular.

Later cases have made it clear that the courts are not about to give municipalities absolute discretion in these cases. Consider, for example, the 1984 case of *Re Namusa Enterprises Ltd. and City of Etobicoke*.⁵

What is startling and, indeed, even shocking when one reads that transcript is the almost total lack of regard which members of

council displayed for the legitimate business interests of the applicant which council was bent on destroying. Concern was shown for the other businesses in the area. Concern was shown for the charitable organizations. But none was shown for the legitimate business interests of the applicant.

We also think that the resolution was unlawfully discriminatory... Its purpose was to assist a particular group of businesses in the area where the applicant carried on its business.

Finally, it is necessary to consider whether council passed the resolution without giving to the applicant a reasonable opportunity to be heard... At the very least, it owed the applicant a minimum duty to treat it fairly.

Further, the following notes from I.M. Rogers, Q.C. in *The Law of Canadian Municipal Corporations* are relevant:

Although ss. 246(5) (now 110(6)) declares that the council cannot be compelled to give its reasons for turning down an applicant, mandamus has been granted ordering the production of the minutes of a council meeting at which a licence application was rejected. In one case it was said that... an applicant is entitled to know the reason why it has been refused.

Continued on page 297

1. *Bannon v. Toronto* (1892) 22 O.R. 274.
2. *Ashby et al v. City of Prince Albert* (1985) 27 M.P.L.R. 276 (Sask. Q.B.).
3. *Robinson v. Board of Commissioners of the City of Kingston* (1981) 13 M.P.L.R. 129 (Div. Ct.).
4. *Re Ross and Board of Commissioners of Police for the City of Toronto* (1953) O.R. 556.
5. *Re Namusa Enterprises Ltd. and City of Etobicoke* (1984) 47 O.R. (2d) 769, 27 M.P.L.R. 257, 6 O.A.C. 137 (Div. Ct.).

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... members of a council which takes away a licence in order to punish the holder thereof for an act wholly irrelevant to the statute may be personally liable to him for loss of profits and good will.

Imagine, all of the above comes after a new section which supposedly makes it clear that councils act in their own discretion in dealing with licences!

Of particular interest to our review are cases and commentary dealing with an applicant's or licensee's "character."

I.M. Rogers, Q.C., in his aforementioned text, writes that character of an applicant is relevant and indeed "it would not be difficult to imagine that a municipal council might well be derelict in its duty in granting licences to some persons to operate (places) to which all members of the public might go."

In the case of *Kim et al v. City of Vancouver*,⁷ council suspended a business licence for thirty days "due to the management's lack of control of the premises." In the case summary, it is noted as follows:

City Council has broad discretion with respect to suspension of business licences and was entitled to consider safety and well-being of the general public, including incidence of crime occurring on the premises which was attributable in part to poor management by the petitioner.

Finally, in *Perry v. Corporation of the District of Surrey et al*⁸ the court considered the actions of council when a licence for an amusement arcade was refused on the ground it was not in the "best interest of the community and the citizens and residents of Surrey" to have such licence issued. The court ruled as follows:

The objection by the (municipality) seems to be that this type of operation . . . attracts trouble for the police, other related authorities and a certain segment of the citizenry. Council had before it various reports and letters setting out these concerns . . . but these reports etc., were of a general nature on the whole aspect of amusement arcades.

There was no evidence before the council that the applicant was in any way responsible for the complaints or that he was not a person worthy in all respects, of being able to discharge his duties and obligations of holding a licence.

The material which council considered was only of general application, did not affect the petitioner and if later the petitioner is found to be unworthy or in violation of the rules, then council can take appropriate steps to cancel the licence. In my view, the licence was withheld unreasonably due primarily to a consideration by the council of irrelevant material and not of the applicant himself.

SUGGESTED RULES

Now, where does all the above leave us? We submit that the following rules apply:

1. Council must have a clear reason to refuse or revoke a licence (not "arbitrary, vague or fanciful");
2. Character of the applicant (or, in the case of a corporation, its officers) is a relevant consideration;
3. Council should take into account in its decision the applicant's or licensee's "legitimate business interests" and balance same against the alleged misconduct or disqualification;
4. Council should be careful not to act just on the complaints of nearby businesses (eg. "too noisy," "uses much of our parking," etc.) or its actions may be attacked as discriminatory;
5. Council should give the applicant an opportunity to be heard if refusal or revocation is considered and should give the reasons for its actions. (A minimum duty of fairness, the extent of which is set out in the *Statutory Powers Procedure Act*). See also section 106 of the *Municipal Act* as to the conduct of committees of council under that Act;
6. Council should act only on relevant considerations (e.g. Should not refuse a licence because "all billiard halls are a problem" or because the person has a five year old conviction for impaired

driving or a twenty year old conviction for shoplifting).

In using the above rules, two frequent problems arise. First, what is a "relevant" matter of character in the area of criminal convictions? The answer lies largely in common sense. To give two extremes, a council would be ill-advised to revoke a pet shop licence where the licensee is convicted of refusing to provide a breath sample and would be well-advised to revoke an auctioneer licence where the licensee has just been convicted of selling stolen property. The alleged disqualification must have some impact on the license situation.

Secondly, a problem often arises where the "problem" (e.g. noise, criminal conduct, crowds, etc.) actually occurs off the licensed premises. In such a case, a council must be extremely careful in taking action. A licensee cannot be held liable for conduct in areas over which he has no control.

To avoid this second issue, some municipalities have added as a consideration in every licence that the issuance or continuation thereof not be "adverse to the public interest," which may be broad enough to cover the detrimental effect of a particular licensed establishment on an abutting area.

In conclusion, it is submitted that the days when subsection 110(6) of the *Municipal Act* provided effective assistance to municipalities (if it ever did) are gone and a council which attempts to use that provision as a shield will find that it is, in fact, a paper tiger. Instead, councils are increasingly expected to weigh the specific merits of applications, provide opportunities for hearings to applicants and to lay before applicants all relevant information that is being considered.

6. R. v. Yule (1962) O.R. 584 (C.A.)
7. Kim et al v. City of Vancouver (1985) 35 A.C.W.S. (2d) 214 (B.C.S.C.)
8. Perry v. Corporation of the District of Surrey et al (1982) 16 M.P.L.R. 210 (B.C.S.C.)

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OPERATIONS/WORKS FEB 1 1989

January 12, 1989

BY FAX

The Corporation of the
City of Mississauga
Clerk's Department
Public Works Department
300 City Centre Drive
Mississauga, Ontario
L5B 3C1

Attention: Linda Mailer

Dear Sirs:

Re: Musketeer Bar Billiards
Licence File No. 90208

Further to telephone conversations with your office, we are writing to request a deputation at the next Operational and Works Committee meeting scheduled for January 19, 1989 at 9:00 a.m.

Beginning in the fall of 1987 our clients, Joe and Anna Mariano, owners of Musketeer Bar Billiards, have attempted to have their licences renewed for 1988. They have lately attempted to have the licences renewed for 1989. They have made a sustained attempt since that date to have the licences renewed. We are advised by our clients that they have received no indication that they are not in compliance with the requirements of the relevant by-laws and have been told by staff of the Licencing Section that the premises are in compliance and in fact the licences ought to have been issued. They have been given no indication as to why the licences have not been renewed. Our office

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REGISTRY No.

DATE JAN 20 1989

FILE No. L-02-04-21

CLERK'S DEPARTMENT

547

- 2 -

has attempted over the past three weeks without success to obtain information from your offices as to why these licences have not been renewed. We would greatly appreciate some information in this regard.

We are now given to understand that a report containing the recommendations as to the issuance of our clients' licences will be presented at the meeting of the Operational and Works Committee scheduled for January 19, 1989. We are unlikely to be able to attend that meeting. We see no reason why the report should not be given to us as soon as it is available, regardless of the date for the meeting, given that it affects our clients' interests. We would appreciate your providing us with a copy of the report as soon as possible. In the event that it requires consent from us, we ask for an opportunity to make that comment at the next meeting of the Operational and Works Committee, which we understand is scheduled for February 1, 1989.

Yours very truly,

WEIR & FOULDS

Per:

Sarah Kelleher

Sarah Kelleher
Student-at-Law

cc: Mr. Ron Nisbet,
Licencing Section

Mr. Bruce Thom,
Legal Department

Mr. Doug Lychak,
City Manager

Musketeer Bar Billiards

SK/kb

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January 16, 1989

BY FAX

OPERATIONS/WORKS

FEB 1 1989

The Corporation of the
City of Mississauga
Clerk's Department
Public Works Department
300 City Centre Drive
Mississauga, Ontario
L5B 3C1

Attention: Linda Mailer

Dear Sirs:

Re: Musketeer Bar Billiards
Licence File No. 90208

Further to our telephone conversation of Friday,
January 13, 1989 this is to confirm the above-noted matter is
listed on the February 1, 1989 agenda. This is to further confirm
that the report will be available the Friday preceeding February
1, January 27, 1989.

Yours very truly,

WEIR & FOULDS

Per:

Sarah Kelleher

SAK/kb

Sarah A. Kelleher
Student-at-Law

WEIR & FOULDS, DAVIS, WEBB

41 George St. South
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Corporate Report

Received by JAN 24 1989
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Clerk's Files M-709 CO
M-683 CO

Originator's 11 141 00045
Files M-709
M-683

FEB 1 1989

OPERATIONS/WORKS

DATE : January 19, 1989
TO : Chairman and Members of Operations and Works
FROM : W. P. Taylor, Commissioner, Public Works Department
SUBJECT : Erin Mills Dev. Corp.,
Central Erin Mills Nbhds 210/211
Release of Building Permits on Glen Erin Drive between
Credit Valley Road and Highway 403
Plans 43M-709 and 43M-683

ORIGIN : Request from Erin Mills Development Corp., 7501 Keele
Street, Suite 100, Concord, Ontario, L4K 1Y2.

BACKGROUND : When the Servicing Agreements for Plans M-683 and M-709
were completed a restriction was placed on the issuance
of Building Permits for the lots fronting on Glen Erin
Drive between Credit Valley Road and Highway 403 until
such time as the overpass crossing Highway 403 at Glen
Erin Drive is completed.

The construction of the overpass over Highway 403 is
being carried out by Erin Mills Dev. Corp. as a part of
the Servicing Agreement for the Erin Mills Town Centre
(43M-823). The construction is well along and the
anticipated completion date is July 1989.

In the opinion of the Public Works Department it would be
beneficial to have the house construction take place
prior to the opening of Glen Erin Drive across Highway
403, in order that the construction vehicles do not
interfere with the traffic flow. The traffic flow could
be heavy for a period in the beginning of August
coinciding with the opening of the Erin Mills Town Centre.

If the applications for the Building Permits for the
houses on Glen Erin Drive were accepted now then we
anticipate that the completion date would be in June or
July of 1989.

continued ...

January 19 1989

6(a)

- 2 -

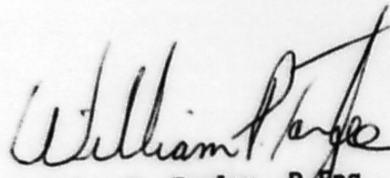
CONCLUSION :

The request by the Erin Mills Dev. Corp. to be allowed to construct dwellings on Glen Erin Drive between Credit Valley Road and Highway 403 is reasonable and should be permitted.

RECOMMENDATION :

That with respect to the Servicing Agreements for Plan of Subdivision 43M-683 and the Servicing Agreement for Plan 43M-709, the following apply :

- a) That Item 7 b) of Schedule 'B' of the Servicing Agreement for 43M-683 be waived.
- b) That Item 1 d) of Schedule 'C' of the Servicing Agreement for Plan 43M-683 be waived and Building Permits for lots 104 through 124 on Plan 43M-683 be issued providing that all of the usual requirements have been met.
- c) That Item 1f) of Schedule 'C' of the Servicing Agreement for Plan 43M-709 be waived and Building Permits for lots 1 through 14 and lots 46 through 49 of Plan 43M-709 be issued providing all of the usual requirements have been met.


William P. Taylor, P. Eng.,
Commissioner
Public Works Department

WPT:jb
61070E

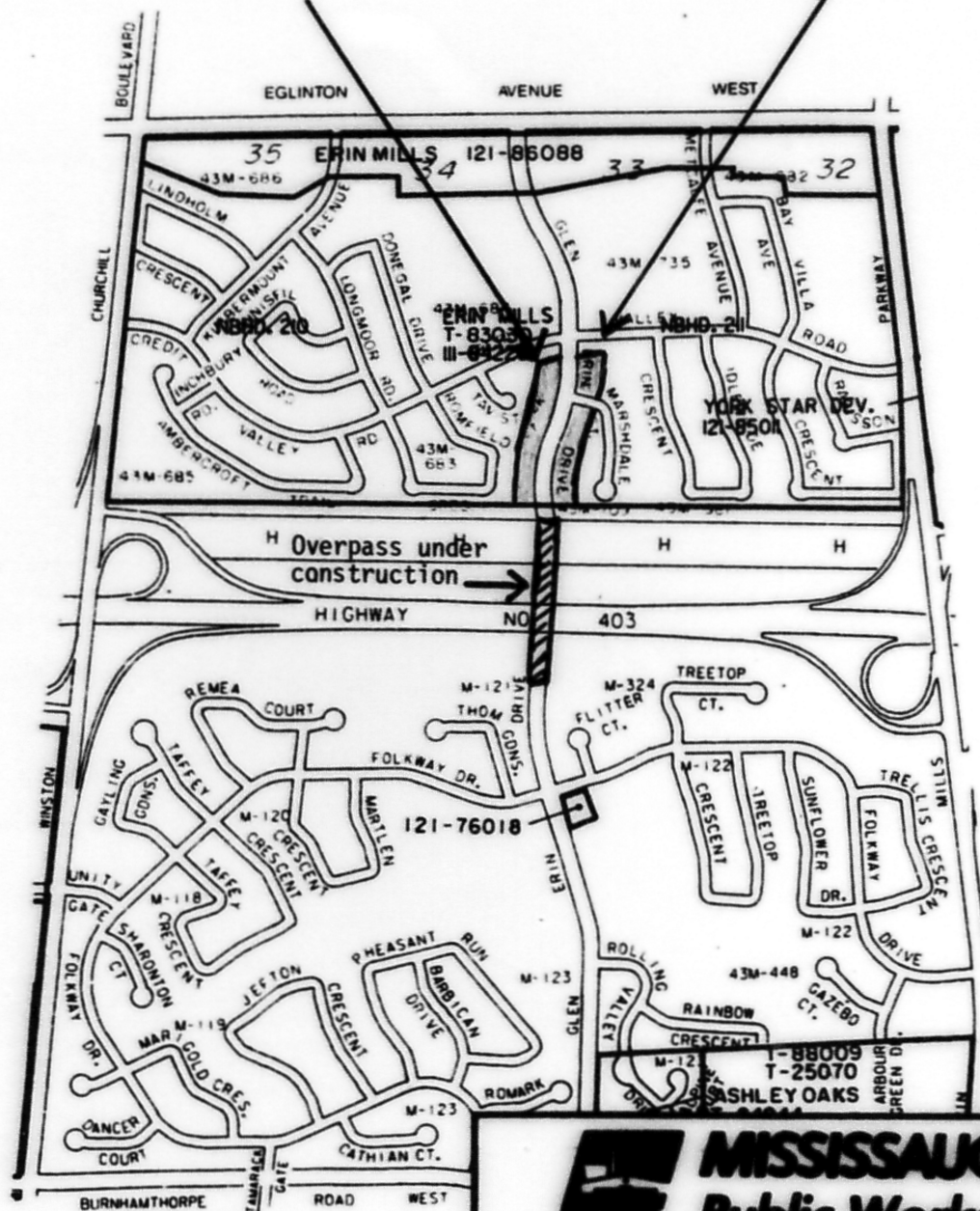
6667

Z-39-W

Lots 104 to 124
Plan M-683

Lots 1 to 14 & 46 to 49
Plan M-709

Z-58



MISSISSAUGA
Public Works

DEVELOPMENT ENGINEERING

CENTRAL ERIN MILLS

BUILDING PERMITS ON GLEN ERIN DRIVE
-AT HIGHWAY 403



Corporate Report

Received by
Clerk's Dept. JAN 24 1989

Clerk's Files M-399 co

Originator's M-399
Files 11-141-00045

OPERATIONS/WORKS FEB 1 1989

DATE: January 11, 1989

TO: Chairman and Members of the Operations and Works Committee

FROM: W.P. Taylor, P.Eng., Commissioner, Public Works Department

SUBJECT: Assumption of the Municipal Works for Erin Mills
Neighbourhood 110, Registered Plan M-399, located north
and south of Burnhamthorpe Road, and east of Mississauga
Road (sketch attached).

ORIGIN: Engineering Agreement between The Cadillac Fairview Corporation (20 Queens Street West, Toronto, Ontario M5H 3R4), the City of Mississauga and the Regional Municipality of Peel dated November 18, 1980.

COMMENTS: The subject development consists of one hundred and twenty-seven (127) residential lots. As far as the Public Works Department is concerned, the developer has complied with all the requirements of the Engineering Agreement for the installation of municipal services in the above-mentioned plan. The remaining securities in the amount of \$121,710.27 (\$35,583.82, \$86,126.45) should be released to the developer, Cadillac Fairview Corporation Limited.

CONCLUSION: It is concluded that, since the developer has complied with all the requirements of the Engineering Agreement, the City should assume the municipal works and release all the remaining securities for the subdivision.

...../cont'd

n/a

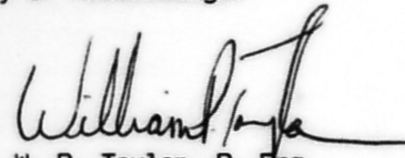
- 2 -

Operations and Works Committee

RECOMMENDATION: That the City of Mississauga:

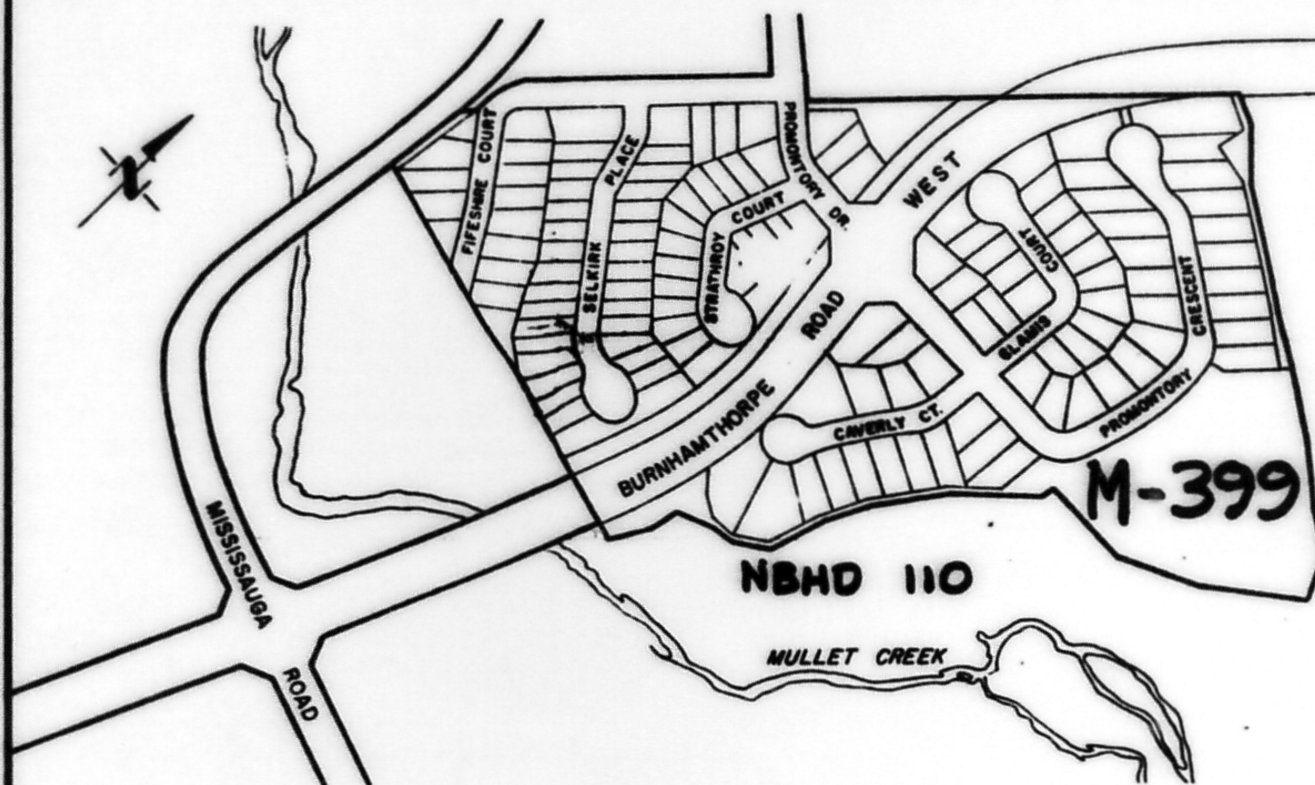
- a) assume the municipal works as constructed by the developer under the terms of the Engineering Agreement for Erin Mills/ Neighbourhood 110, Registered Plan M-399, located east on Burnhamthorpe Road east of Mississauga Road,
- b) return the Letters of Credit securing the Engineering Agreement for Plan M-399 (currently valued at \$35,583.82, \$86,126.45) to the developer, Cadillac Fairview Corporation Limited,
- c) enact a bylaw establishing the road allowances within Registered Plan M-399 as public highway and part of the municipal system of the City of Mississauga.


DW/rar
0389E/223E


W. P. Taylor, P. Eng.
Commissioner
Public Works Department

Encls.

7(h)



LOCATION PLAN

SCALE: NTS



MISSISSAUGA
Public Works

DEVELOPMENT ENGINEERING

ERIN MILLS - NBHD 110

REG. PLAN M-399



OPERATIONS/WORKS

FEB 1 1989

Received by JAN 24 1989
Clerk's Dept.

E.02.14
Clerk's Files F.03.01
E.02.06.01

Originator's 11 141 00045
Files 11 121 00014

DATE : January 19, 1989

TO : Chairman and Members of Operations and Works

FROM : W. P. Taylor, Commissioner, Public Works Department

SUBJECT : Request for Report No. 290-88
McGill Street Petition (Mrs. F. Monticciolo, 134 McGill Street, Mississauga, L5A 1V2)
Walkway from westerly end of McGill Street to apartment building as 100 Dundas Street West

ORIGIN : Report dated October 12, 1988 to Operations and Works Committee. OW-425-88 of the October 26, 1988 Operations and Works Committee meeting.

COMMENTS : The October 12, 1988 report dealt with several items raised in a petition dated August 6, 1988 from residents of McGill Street.

One of the items, that being the walkway link from the westerly end of McGill Street to the apartment building was deferred in order that the Public Works Department could contact the Planning Department, the Recreation & Parks Department and the School Boards to determine the need for a walkway.

Public Works have now received replies to our circulation and both the Peel Board of Education (letter dated January 12, 1989 attached) and the Recreation & Parks Department have concerns over the closure of the walkway.

CONCLUSION : Since the Peel Board of Education and the Recreation & Parks Department feel that the walkway serves a useful purpose and should not be closed, the City of Mississauga should not support the closure of the walkway.

continued ...

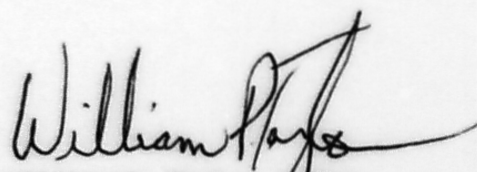
The Chairman and Members
Operations & Works Committee

January 19, 1987

- 2 -


8(a)

RECOMMENDATION : That the walkway connecting the westerly end of McGill Street to the apartment building at 100 Dundas Street West not be closed and that Mrs. F. Monticciolo, 134 McGill Street, Mississauga, L5A 1V2 be so advised.

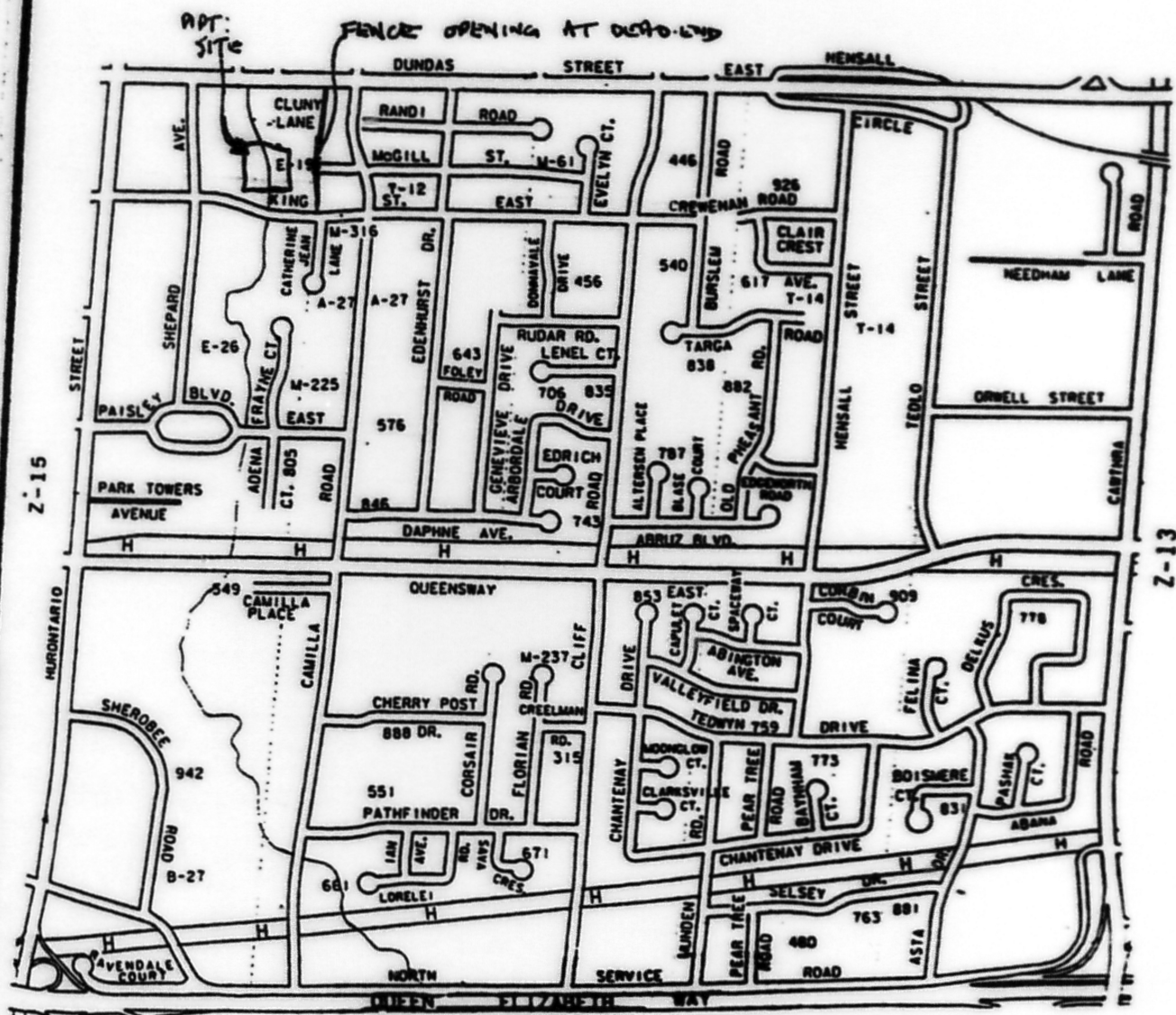

William P. Taylor, P.Eng.,
Commissioner
Public Works Department

Att.

cc : S. Hare, Peel Board of Education
I.W. Scott, Recreation & Parks
R.G.B. Edmunds, Planning

 RGO:jb
01070E

Z-21





Corporate Report

Received by
Clerk's Dept. JAN 24 1989

Clerk's Files F.06.04.02

OPERATIONS/WORKS

FEB 1 1989

Originator's
Files

11 141 00045
11 161 00011
13 211 00019

DATE:

January 6, 1989.

TO:

Chairman and Members of the Operations and Works Committee.

FROM:

William P. Taylor, P.Eng., Public Works Department.

SUBJECT:

Request to Prohibit Parking in front of Walkways - Ponytrail Drive.

ORIGIN:

Denine Harvey, Coordinator, Russet Homes Cooperative Corporation, 3360 Ponytrail Drive (624-8757).

COMMENTS:

Staff from the Public Works Department met with Ms. Harvey with respect to parked vehicles on Ponytrail Drive obstructing garbage pick-up at the Russet Homes Cooperative. The waste collectors are currently experiencing problems accessing the refuse when vehicles are parked in front of the walkways from this complex. It was concluded that three of the walkways require a clear access to Ponytrail Drive in order that they may be used as pick-up points for waste.

The waste collectors require that a minimum of about 4 metres of free space between vehicles be available at the pick-up areas. This would mean a loss of approximately three parking spaces on Ponytrail Drive. The reduction in parking spaces should not significantly affect the parking situation for the tenants.

CONCLUSION:

The Public Works Department was requested by Denine Harvey, Coordinator of Russet Homes Cooperative Corporation, to prohibit parking in front of the three walkways used to pick up the residents waste.

The Public Works Department has no objection to prohibiting parking on Ponytrail Drive for 4 metres in front of the three walkways.

January 5, 1989.

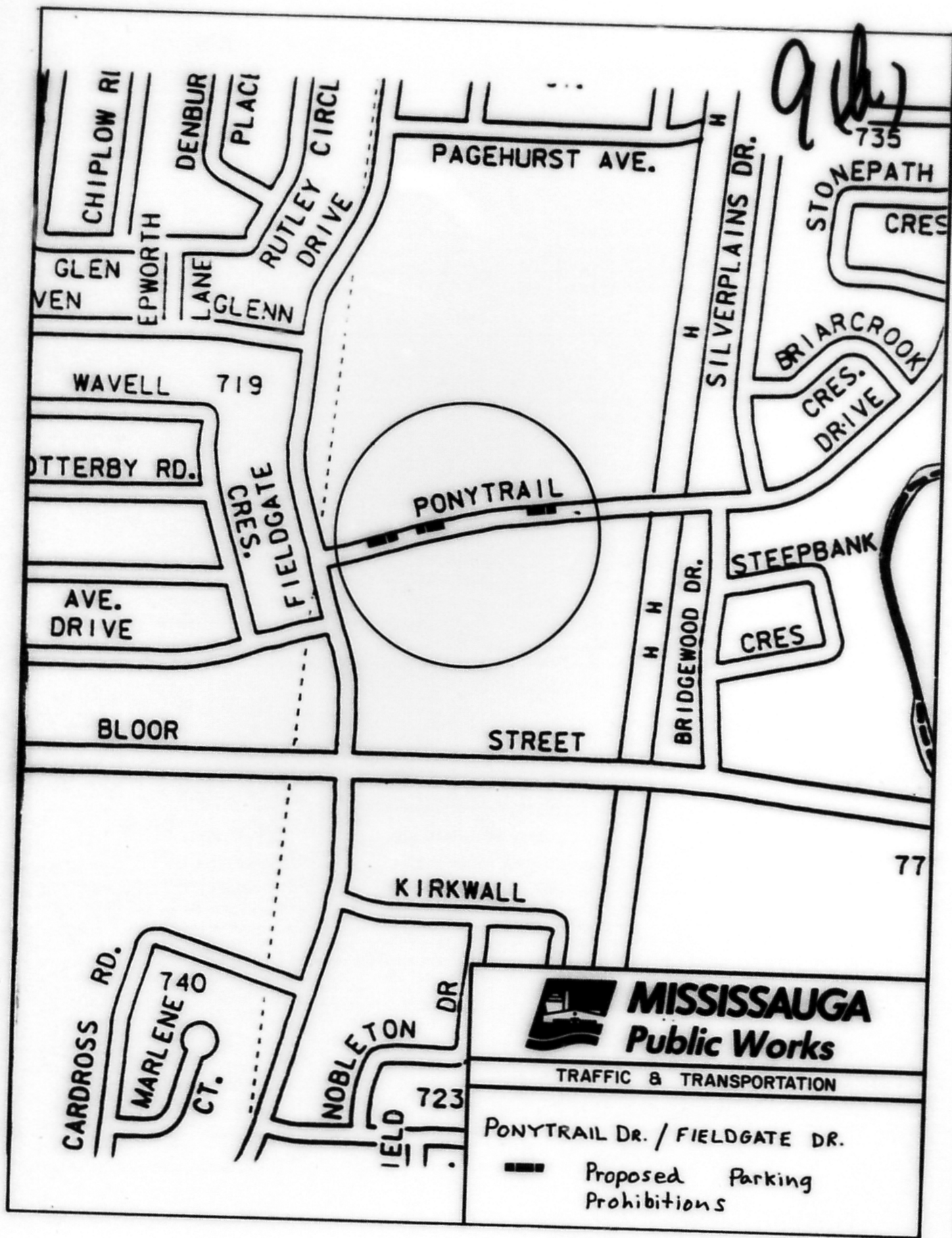
ala
RECOMMENDATION:

That a by-law be enacted to amended By-law 444-79, as amended, to implement a 'No Parking Anytime' prohibition on the north side of Ponytrail Drive, as follows:

- (i) from a point 38 metres east of Fieldgate Drive to a point 4 metres easterly thereof;
- (ii) from a point 98 metres east of Fieldgate Drive to a point 4 metres easterly thereof;
- (iii) from a point 184 metres east of Fieldgate Drive to a point 4 metres easterly thereof.

William P. Taylor
William P. Taylor, P. Eng.,
Commissioner,
Public Works Dept.

RCB
R2/89b
0594E





Received by JAN 24 1989
Clerk's Dept.
Clerk's Files F06.04.02

OPERATIONS/WORKS FEB 1 1989

Originator's Files 11 141 00045
13 211 00048

DATE: January 6, 1989.
TO: Chairman and Members of the Operations and Works Committee.
FROM: William P. Taylor, P.Eng., Public Works Department.
SUBJECT: Request for Extended Parking - Redfox Road.

ORIGIN: Petition through Councillor McKechnie's office from Mrs. Mary Hall, 7239 Redfox Road, and residents of Redfox Road. Report Request 356-88.

COMMENTS: The Public Works Department has received a petition initiated by Mrs. Mary Hall, to permit extended on-street parking for a period of 12 hours on Redfox Road.

An exemption from the 3-hour parking limit was requested to allow for overnight parking. Each of the single family homes on Redfox Road have a minimum of 200% on-site parking, including driveway and garage. Based on a review by Public Works staff it is felt that this may have been requested simply for convenience and not in the interest of traffic safety or necessity.

If extended parking was implemented it could only be allowed on one side of Redfox Road with parking prohibited on the opposite side to maintain safe two-way travel. However, since this location does not fulfill the required criteria of less than 200% on-site parking with no room for expansion, extended parking would not be supported by the Public Works Department.

CONCLUSION:

Each home on Redfox Road has 200% on-site parking (i.e., parking for two vehicles), with room for expansion provided for each home, and therefore, in keeping with City Council guidelines, exemption from the 3-hour parking time limit is not recommended.

Chairman and Members of the
Operations and Works Committee

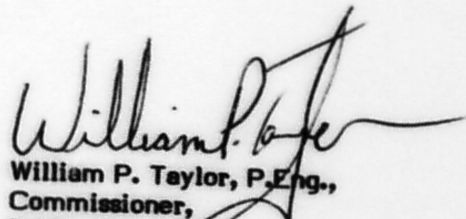
- 2 -

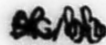
January 6, 1989.

10(a)

RECOMMENDATION:

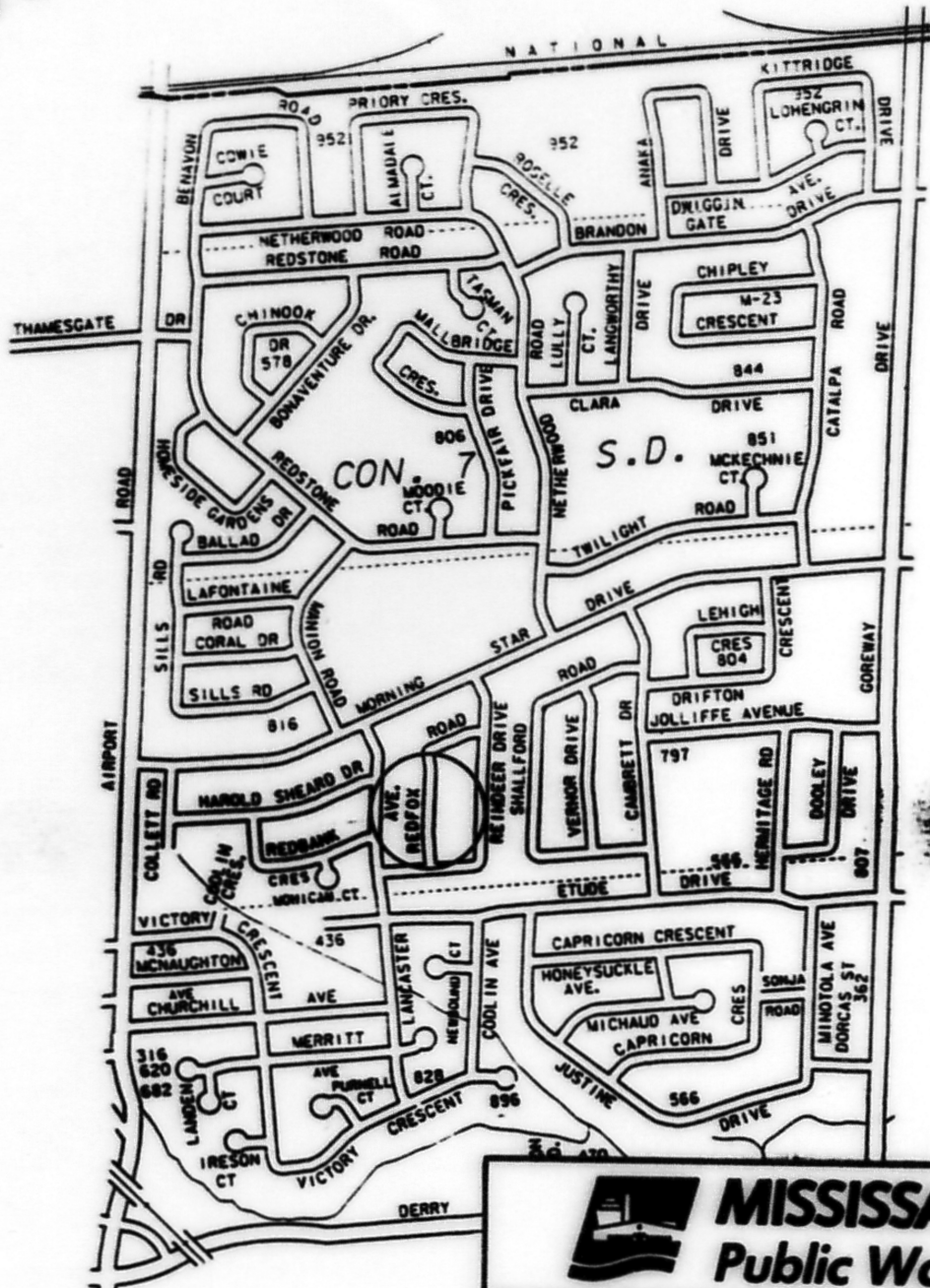
That in accordance with City Council policy, extended 12-hour on-street parking not be implemented on Redfox Road as a minimum of 200% on-site parking is available for each property, with some area available for expansion.


William P. Taylor, P.Eng.,
Commissioner,
Public Works Dept.


0594E

10 (4)

CITY OF BRAMPTON



MISSISSAUGA
Public Works

TRAFFIC & TRANSPORTATION



AREA ON REDFOX ROAD REQUESTING
EXTENDED PARKING PRIVILEGES

Z



Corporate Report

Received by
Clerk's Dept.

Clerk's Files B.06.02

Originator's
Files

OPERATIONS/WORKS FEB 1 1989

January 25, 1989

TO: Chairman and Members of the
Operations and Works Committee

FROM: Terence L. Julian, A.M.C.T. C.M.C.
City Clerk

SUBJECT: Quit Claim of Permanent Easement in favour of Karolfam
Properties Inc., Parts 2, 3, 5, 7, 9, 14 and 15, Plan 43R-659.

ORIGIN: Grant of Easement conveyed to The Town of Mississauga,
registered March 29, 1968 as Instrument No. 70439VS.

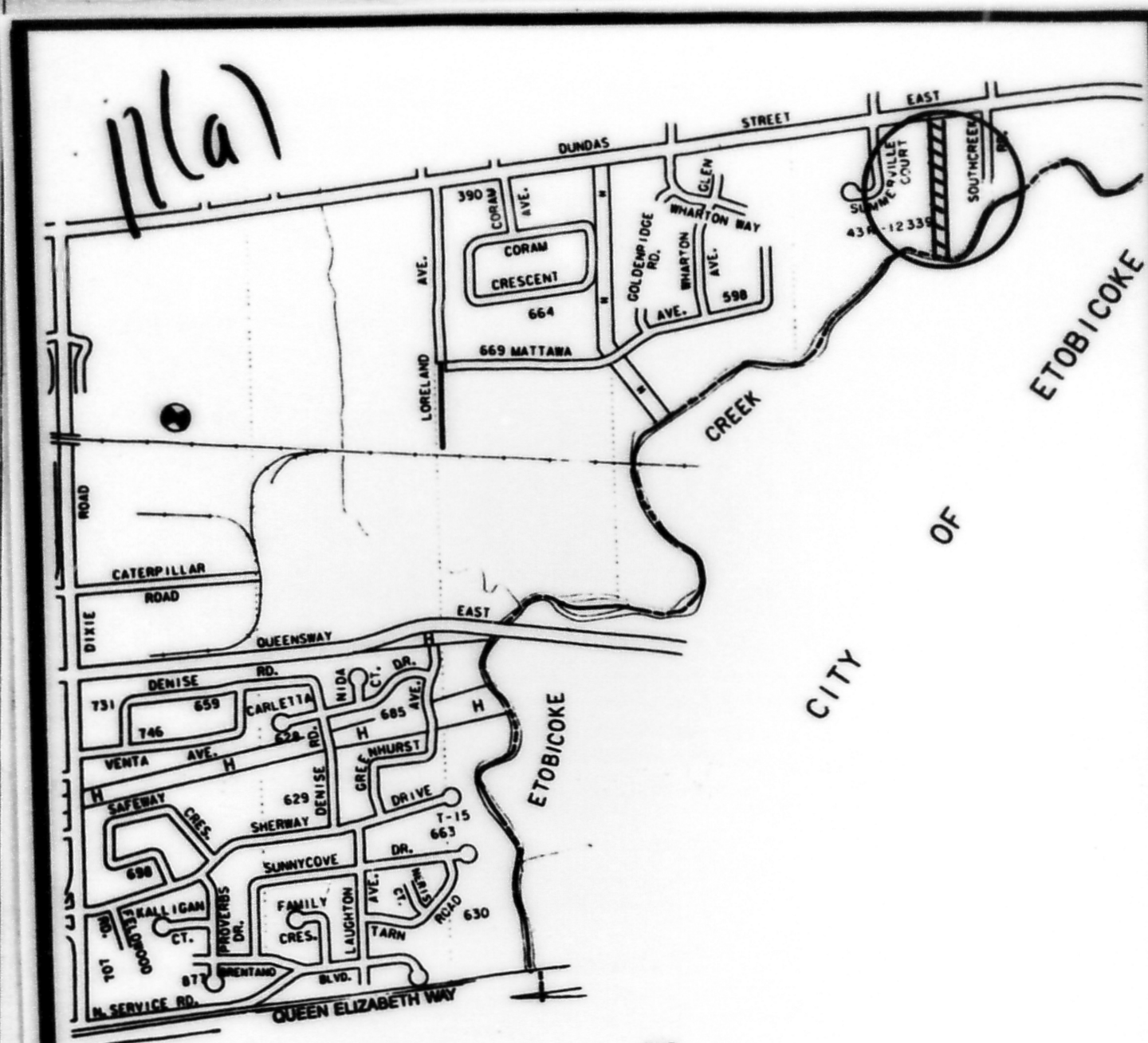
COMMENTS: The City acquired for storm sewer purposes a 4.5 m (15 ft.) wide
permanent easement on the south side of Dundas Street East
described as Parts 2, 3, 5, 7, 9, 14 and 15 on Plan 43R-659. These
easements were conveyed to the City by Instrument No. 70439VS,
registered March 29, 1968. Karolfam Properties Inc., the current
owners of 2070 Dundas Street East, which is subject to the
described easement, are presently arranging a mortgage and have
requested the City to consider quit claiming the said easement.

The Public Works Department have reviewed the request and are
in favour of granting a quit claim of the easement as alternate
storm drainage has been provided to the City resulting from
redevelopment in the area.

RECOMMENDATION: That a By-law be enacted authorizing execution by the City of a
Quit Claim in favour of Karolfam Properties Inc., for a storm
sewer easement described in Instrument No. 70439VS, Registered
March 29, 1968 as Parts 2, 3, 5, 7, 9, 14 and 15 on deposited
Reference Plan 43R-659.

Terence L. Julian, A.M.C.T., C.M.C.
City Clerk

PJS:mc



Z-5



MISSISSAUGA
 Clerk's Department
 Realty Services



QUIT CLAIM OF
 EASEMENT PTS. 2, 3, 5, 7, 9
 14 & 15, PL. 43R659

FILE No. 130602



Ontario

224-7537

Ministry of
Transportation and
Communications

Central Region
5000 Yonge Street
Willowdale, Ontario
M2N 6E9

12
RECEIVED

REGISTRY No

DATE JAN 16 1989

FILE No. A-02030222

CLERK'S DEPARTMENT

OPERATIONS/WORKS

FEB 1 1989

January 10, 1989

Ms. Linda Mailer
Committee Co-ordinator
City of Mississauga
300 City Centre Drive
Mississauga, Ontario
L5B 3C1

Dear Ms. Mailer:

I wish to acknowledge your letter of December 20, 1988 outlining recommendation OW-489-88 of your Operations and Works Committee that projects, covering construction of the Highway 401/410/403 interchange, be expedited.

The above interchange is very complex and involves a number of major contracts which must be staged sequentially in order to allow construction to proceed and still maintain the heavy traffic volumes which exist in the area.

The current contract for structure ramps from Highway 410 south to Highway 401 east and from Highway 401 east to Highway 410 north will not be completed until late in 1989. The contract for the Highway 403 to Highway 410 connection cannot be undertaken until the current contract is completed and consequently it is not feasible to start this contract in 1989 as suggested by your Operations and Works Committee.

Similarly, it is impractical to advance the remaining contracts for the widening of Highway 401 westerly and for the reconstruction of the Highway 401/10 interchange.

I trust that this will outline the Ministry's position on this matter.

Yours truly

B. D. Riddell
Regional Director

13

TRAFFIC SAFETY COUNCIL
0058C/179C

JANUARY 25, 1989
A.03.04.11.02

REPORT NO.1-89

To: Operations and Works Committee

FEB 1 1989

LADIES AND GENTLEMEN:

OPERATIONS/WORKS

The Traffic Safety Council presents its first report and recommends:

TSC-1-89 That Mrs. Gail Green, serve as Chairman of the Traffic Safety Council for a period ending November 30, 1991, or until a successor is appointed.

A.3.4.11.2
(TSC-1-1-89)

TSC-2-89 That Councillor H. E. Kennedy serve as Vice-Chairman of the Traffic Safety Council, for a period ending November 30, 1991, or until a successor is appointed.

A.3.4.11.2
(TSC-1-2-89)

TSC-3-89 That Dr. A. Wood be appointed Chairman of the Site Inspection Subcommittee of the Traffic Safety Council, for a period ending November 30, 1991, or until a successor is appointed.

A.3.4.11.2
F.06.03.02
(TSC-1-3-89)

TSC-4-89 That Mr. Greg Dell be appointed Chairman of the Public Information Subcommittee of the Traffic Safety Council, for a period ending November 30, 1991, or until a successor is appointed.

A.3.4.11.2
(TSC-1-4-89)

January 25, 1989

13(a)

TSC-5-89 That the presentation by Mrs. B. Schmeid-Plummer, Manager of Marketing, Mississauga Transit, to the Traffic Safety Council on January 25, 1989, with regard to Mississauga Transit's school safety program, be received for information.

A.3.4.11.2
(TSC-1-5-89)

TSC-6-89 That a Crossing Guard not be placed at Netherwood Road and Clara Drive, as warrants are not met.

F.06.03.02
(TSC-1-6-89)

TSC-7-89 (a) That the "policy for reviewing requests for adult crossing guards" be amended as follows:

Under section (vi) add the following additional criteria:

- On any road supporting 6 or more through lanes of traffic, an adult crossing guard shall not be used unless the crossing is controlled by a traffic signal. Locations without traffic signals warrant other means of ensuring the safe crossing of students.

Add Section (viii).

- Consideration will be given to assigning two or more adult crossing guards on roadways supporting four or more lanes of traffic where one or more of the following factors are present: students crossing on one leg of an intersection or at a mid-block location do so in both directions; heavy volumes of turning vehicles are present; and/or heavy volumes of students cross on more than one leg of an intersection.

(b) That the Site Inspection Committee of the Traffic Safety Council review the intersection of Eglinton Avenue and Heritage Hills Boulevard once two crossing guards are present and the students are crossing Eglinton Avenue.

F.06.03.02
A.3.4.11.2
(TSC-1-7-89)

13 (pl)

January 25, 1989

TSC-8-89 That the report dated January 6, 1989, from the Commissioner of the Public Works Department pertaining to the condition of the intersection at Hillcrest Avenue and Parkerhill Road, be received for information.

F.06.03.02
(TSC-1-8-89)

TSC-9-89 That the Letter dated January 2, 1989, from R. J. Scott, Manager of Transportation and Assessment, The Dufferin Peel Roman Catholic Separate School Board, regarding the request to The Dufferin Peel Roman Catholic Separate School Board for temporary bussing for students attending Bishop Scalabrini Separate School, be received for information.

F.06.03.02
(TSC-1-9-89)

TSC-10-89 That the letter dated January 10, 1989, from W. H. Brown, Traffic Engineer, Operations Division, Department of Public Works, Region of Peel, regarding the pedestrian crossing time for the traffic lights at Derry Road at Montevideo Road and Copenhagen Road, be received for information.

F.06.03.02
(TSC-1-10-89)

TSC-11-89 That the memo from Ian W. Scott, Commissioner of Recreation and Parks, dated January 11, 1989, regarding lighting repairs to the underpass at The Collegeway and Hornbeam Crescent, be received for information.

F.06.03.02
(TSC-1-11-89)

January 25, 1989

13(c)

- TSC-12-89
- a) That the Public Affairs Department, with the assistance of the Public Works Department, prepare a pamphlet on Adult Crossing Guards, aimed at the general public.
 - b) That the Public Affairs Department, should, whenever possible, promote the importance of Adult Crossing Guards, and the legalities of motorists when approaching a school crossing.
 - c) That the Public Works Department meet with senior administrative staff at the Peel Board of Education, and the Dufferin Peel Roman Catholic Separate School Board, to coordinate the relationship between the Adult Crossing Guards and the schools.
 - d) That an annual general meeting of all Adult Crossing Guards be held to provide a forum for raising and solving concerns of the Crossing Guards, and to acknowledge the work of the Crossing Guards.

F.06.03.02
(TSC-1-12-89)

- TSC-13-89
- That Mrs. Gail Green, Peel Board of Education representative to the Traffic Safety Council, and Mrs. Dora Stewart, and Mr. Ken Basarke, Citizen Members of the Traffic Safety Council, be authorized to attend the Annual General Conference of the Ontario Traffic Conference, being held in Burlington, Ontario, Sunday, April 30, 1989, to Thursday, May 4, 1989, and further, that adequate funds be allocated in the 1989 Traffic Safety Council budget, to facilitate their attendance.

A.3.4.11.2
H.05.03
(TSC-1-13-89)

- TSC-14-89
- That the Public Affairs Department, in consultation with the Traffic Division of the Public Works Department, develop a video or slide presentation, for use by the Traffic Safety Council, regarding the procedure used by the Site Inspection Subcommittee of the Traffic Safety Council, in carrying out traffic safety site inspections and gap studies.

A.3.4.11.2
(TSC-1-14-89)



Received by
Clerk's Dept.

Clerk's Files

Originator's
Files

11 141 00045
11 161 00011
13 211 00010

OPERATIONS/WORKS FEB 1 1989

DATE: January 23, 1989.
TO: Chairman and Members of the Operations and Works Committee.
FROM: William P. Taylor, P.Eng., Public Works Department.
SUBJECT: Vehicle Speeds on Balsam Avenue.

ORIGIN: City Council Meeting of September 12, 1988.
Report Request No. 302-88.

BACKGROUND: City Council at its meeting of September 12, 1988 adopted the Operations and Works Committee recommendation OW-351-88 requesting that the Peel Police provide vigorous enforcement of the 50 km/hr speed limit on Balsam Avenue over the next 60 days and have the results reported back to the Operations and Works Committee through the Public Works Department.

The preceeding recommendation was precipitated by a previous deputation from Mr. Ernie Reid, 1847 Balsam Avenue requesting that the posted speed limit on Balsam Avenue be reduced to 40 km/hr from the current 50 km/hr standard residential speed limit. Mr. Reid had indicated that high volumes of traffic, excessive speeds and a lack of sidewalks resulted in a hazardous situation for area residents.

Mr. Reid had indicated that, through traffic using the GO Station at Southdown Road/Bromsgrove Road, postal vehicles from the postal station on Clarkson Road, and school buses contributed to excessive volumes and a dangerous situation on Balsam Avenue. He also indicated that many motorists travelled at speeds well above the 50 km/h limit further adding to the danger, and therefore an all-way stop was necessary to reduce vehicle speeds.

The Public Works Department conducted a variety of traffic studies on Balsam Avenue and the results are as follows:

Vehicle speeds were found to be generally acceptable and very few postal vehicles were observed using Balsam Avenue. An all-way stop installation is not feasible as there are no roadways intersecting Balsam Avenue. A fairly high percentage of traffic was noted as through traffic, however, the overall volumes were acceptable and would not be considered out of line based on the nature of the roadway.

January 23, 1989.

124(a)

COMMENTS:

The Peel Regional Police have completed a comprehensive radar enforcement program on Balsam Avenue and have forwarded the following results:

Vehicle speeds were monitored on Balsam Avenue for 55 hours between September 23 and November 16, 1988 at varying times between 6:00 a.m. and midnight, using an unmarked vehicle. In excess of 2,200 vehicles were monitored resulting in only 21 (approximately 1%) speeding charges.

These results would indicate that vehicle speeds are not a problem on Balsam Avenue and would support the results of previous studies conducted by the Public Works Department indicating that 50 km/h is the appropriate speed for this residential street. As indicated previously to Mr. Reid, 40 km/h speed limits are reserved for non-arterial type roadways with direct junior school frontage, and for roadways with poor geometrics.

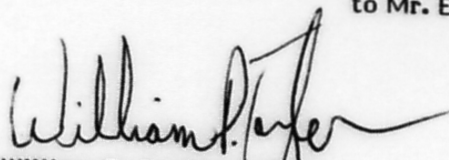
The Public Works Department had previously advised Mr. Reid that traffic conditions on Balsam Avenue were acceptable and did not warrant a speed limit reduction or the implementation of additional traffic control devices. Although Mr. Reid indicated an observation of increased volumes on this roadway over the previous few years, it is felt that such increases would be expected based on the overall growth of the City and are comparable to other similar roadways City-wide.

CONCLUSION:

On the basis of the Peel Regional Police speed enforcement results, and on the results of previous studies completed by the Public Works Department, it is evident that vehicle speeds on Balsam Avenue are acceptable and that further action in the form of a posted speed reduction or the implementation of additional traffic control devices is not required.

RECOMMENDATION:

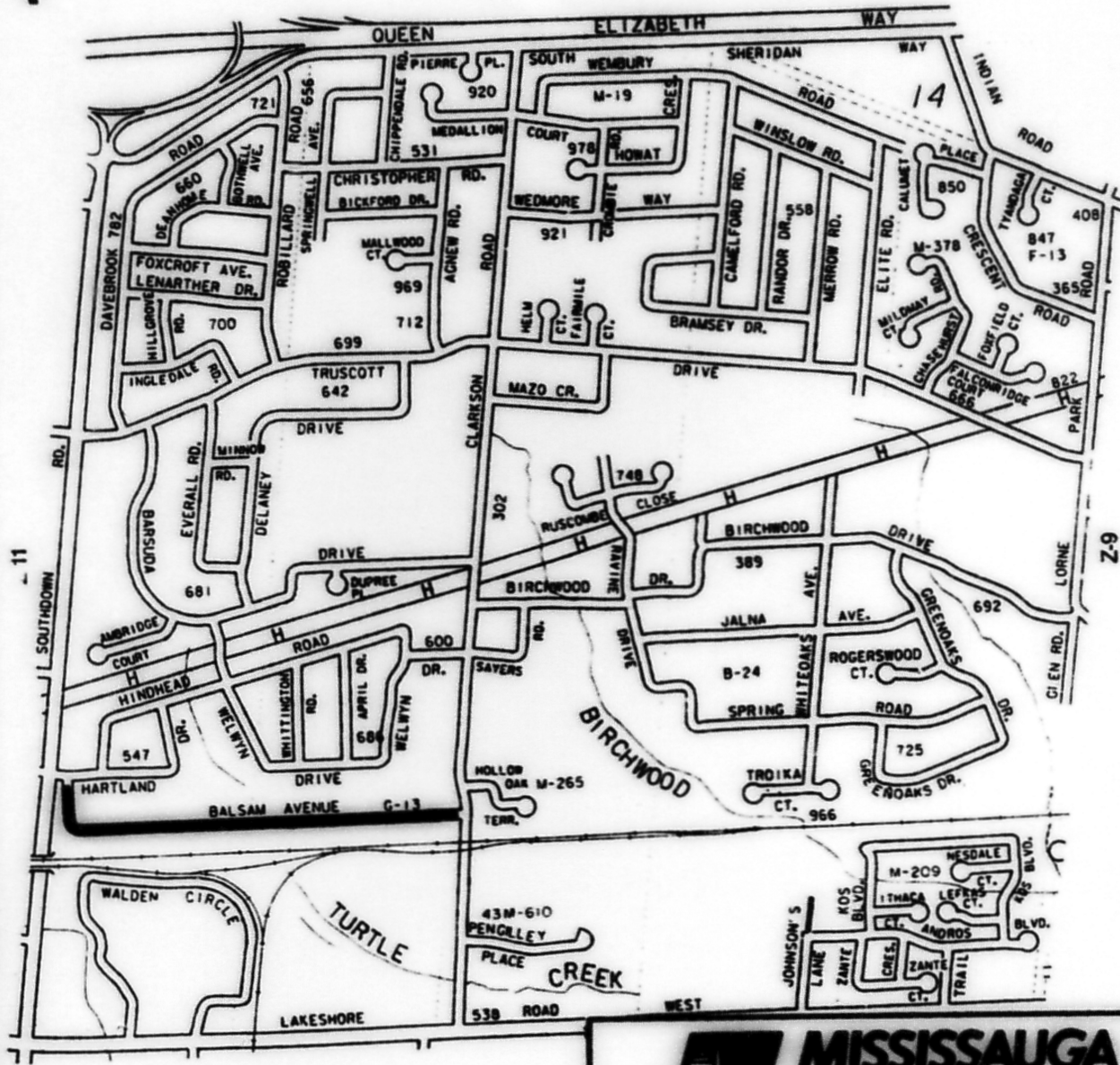
That the report dated January 23, 1989 from the Commissioner of Public Works providing information dealing with vehicle speeds and the results of the Peel Police radar enforcement program on Balsam Avenue, be received, and a copy forwarded to Mr. E. Reid of 1847 Balsam Avenue.


William P. Taylor, P.Eng.,
Commissioner,
Public Works Dept.

c.c. Sgt. Tom Richmond, II Division, Peel Regional Police.

SB/dab
0594E

14/1/17



MISSISSAUGA
Public Works

TRAFFIC & TRANSPORTATION

BALSAM AVE.



Corporate Report

Received by
Clerk's Dept.

Clerk's Files

Originator's
Files

M-449
16-121-86148
11-141-00045

OPERATIONS/WORKS **FEB 1 1989**

DATE: January 12, 1989
TO: Chairman and Members of the Operations and Works Committee
FROM: W.P. Taylor, P.Eng., Commissioner, Public Works Department
SUBJECT: Return of the 15 metre wide access strip, Part of Block 21, Plan 43M-449, Part IV, Plan 43R-13807, located north of Britannia Road East and west of Tomken Road (sketch attached), to the developer, Pinetree Development Co. Ltd.

ORIGIN: Operation and Works Committee Recommendation No. 130-86 adopted by Council on June 23, 1986 which states as follows:

"That condition 3(a) of Schedule 'C' of the Servicing Agreement for Pinetree Development Industrial Subdivision, Plan 43M-449, located north of Britannia Road East and west of Tomken Road, be waived with respect to Block 21, subject to a 15 metre easement being provided by Pinetree Development Co. Ltd. in favour of the City over Block 21, adjacent to Block 20/21 lot line, to allow for potential future access from the adjacent property to Kestrel Road."

COMMENTS: The subject land, being Part of Block 21 on Plan 43M-449; designated as Part 4 on Plan 43R-13807 was transferred from Pinetree Development Company Limited in favour of the City and registered in the Land Registry Office at Brampton on September 25, 1986 as Instrument No. LT681441 following the adoption of this resolution, thereby permitting the waiver of condition 3(a) of Schedule 'C' of the Servicing Agreement for Plan 43M-449. This condition required that Block 21 on Plan 43M-449 be developed in conjunction with adjacent lands as this strip of land would serve to provide access to the adjacent lands.

This department is now in receipt of acceptable documentation from the owner of the land adjacent to Block 21 on Plan 43M-449, demonstrating that Block 21 on Plan 43M-449 shall be developed in conjunction with the adjacent lands. Therefore, this department has no objection to the return of the 15 metre wide strip of land on Block 21, Plan 43M-449 to Pinetree Development Co. Ltd.

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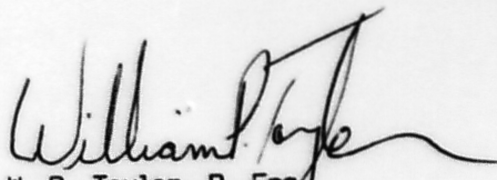
15/1a1

- 2 -

Operations and Works Committee

CONCLUSION: That the City return the 15 metre wide strip of land on Block 21, Plan 43M-449, designated as Part 4 on Plan 43R-13807, to Pinetree Development Co. Ltd.

- RECOMMENDATIONS: 1) That with respect to that part of Block 21 on Plan 43M-449, Pinetree Development Co. Industrial Subdivision, located north of Britannia Road East and west of Tomken Road, transferred from Pinetree Development Company Limited in favour of the City of Mississauga and registered in a Land Registry Office at Brampton on September 25, 1986 as Instrument No. LT681441:
- (a) The City of Mississauga return the 15 metre wide strip of land designated as Part 4 on Plan 43R-13806 to the developer, Pinetree Development Company Limited, 155 University Avenue, Penthouse Toronto, Ontario M5H 3S7


W. P. Taylor, P. Eng.
Commissioner
Public Works Department

WSA/ap
0389E/223E

CITY OF MISSISSAUGA

MINUTES

MEETING THREE EIGHTY-NINE

NAME OF COMMITTEE: OPERATIONS AND WORKS

DATE OF MEETING: WEDNESDAY, FEBRUARY 1, 1989, 9:10 A.M.

PLACE OF MEETING: RESOURCE LIBRARY, CIVIC CENTRE

MEMBERS PRESENT: Councillor H. Kennedy
Councillor M. Prentice
Councillor F. Dale
Councillor F. McKechnie (Chair)
Councillor N. Iannicca
Councillor D. Culham

MEMBERS ABSENT: NIL

OTHER PRESENT: Councillor P. Mullin
Mayor H. McCallion

STAFF PRESENT: Mr. D.A. Lychak, City Manager
Mr. B.E. Thom, City Solicitor
Mr. W.P. Taylor, Commissioner of Public Works
Mr. K. Schipper, Director, Public Works
Ms. L. Mailer, Committee Coordinator, Clerk's
Department

INDEX - OPERATIONS AND WORKS COMMITTEE - FEBRUARY 1, 1989

DEPUTATIONS/PRESENTATIONS - 9:10 A.M.

A. Mr. Edmond Meyers, The EM Research Associates

F.06.01

SEE ITEM 1

B. Mr. P. Solomon, Petro-Canada Products

SP 227-88

SEE ITEM 2

| <u>ITEM</u> | <u>FILE</u> | <u>SUBJECT</u> |
|-------------|----------------------------------|--|
| 1. | F.06.01 | Mississauga Traffic and Transportation Problems |
| 2. | SP 227-88 | Petro Canada - Sidewalk Contribution |
| 3. | M-662 | Venchiarutti Subdivision - Easement |
| 4. | CDM 87-543 | Walden Circle Developments Limited |
| 5. | L.02.04.21 | Musketeer Billiards - License Renewal |
| 6. | M-709 M-683 | Erin Mills Development Corporation - Release of Building Permits on Glen Erin Drive btn Credit Valley Road/Highway 403 |
| 7. | M-399 | The Cadillac Fairview Corporation - Assumption of Works |
| 8. | E.02.14 E.02.06.01 F.03.01 | McGill Street Petition |
| 9. | F.06.04.02 | Ponytrail Drive - Parking Prohibition |
| 10. | F.06.04.02 | Redfox Road - Parking Extension |
| 11. | B.06.02 | Karolfam Properties - Quit Claim of Permanent Easement |
| 12. | A.02.03.02.22 | Ministry of Transportation - Highway 401/403/410 Interchange |
| 13. | A.03.04.11.02 | Traffic Safety Council Report 1-89 - January 25, 1989 |
| 14. | F.06.01 | Balsam Avenue - Vehicle Speeds |
| 15. | M-449 | Pinetree Development Co. Ltd. - Return of 15 Metre Wide Access Strip |

MATTERS CONSIDERED:

1. Letter dated November 4, 1988, from Mr. Edmond Meyers, General Manager of The Em Research Associates, requesting an opportunity to appear before the Operations and Committee regarding traffic problems in Mississauga. Mr. Meyers has expressed concern regarding non-synchronization of traffic control signals and the lack of street numbers on buildings. Attached was a letter from the Commissioner of Public Works to Mr. Meyers subsequent to a meeting held with City Staff to discuss his concerns.

Mr. Meyers addressed the Committee and advised that his Company had been approached by a small local delivery firm to undertake an efficiency study. During this study, two major problems were identified which affected the efficiency of his Client's business. One is the lack of synchronization of traffic signals and the other is the difficulty in finding street numbers on buildings. Mr. Meyers recommended that the traffic signals be synchronized and a standard developed for the installation of street numbers.

Mr. Schipper explained the computerized traffic signal system in operation in the City to maximize traffic flow during the various periods of the day.

With respect to the building numbers, Mr. Lychak advised that there is a by-law governing the size and placement of numbers; however, it is not a high priority as far as enforcement is concerned. Mr. Lychak pointed out that it is in the individual's best interests to locate building numbers where they are clearly visible.

Councillor Culham recommended that the deputation be received and that Staff review the by-law regarding the placement of building numbers with a view to developing a policy for street numbers on buildings on major arterial roads. This motion was voted on and carried.

F.06.01

See Recommendation AF-35-89 (D. Culham)

2. Report dated December 2, 1988, from the Commissioner of Public Works in response to a request from Petro-Canada for an exemption from the payment of monies for a future sidewalk on North Sheridan Way.

The Petro Canada request is based on the fact that Resolution 32 (1982) applies only to new developments; however, Staff take the position that if site plan approval is required then the policy applies. Further the policy makes no provision for exemption and has been applied to all site plans since it was adopted.

RECOMMENDATION:

That the request by Petro Canada Products for an exemption from the payment of monies for a future sidewalk on North Sheridan Way in connection with Site Plan Application SP-227/88W at 2489 North Sheridan Way be denied.

This report was included on the agenda of January 5, 1989, and deferred to this meeting.

Mr. Solomon appeared before the Committee and pointed out that the addition is subject to site plan approval and therefore subject to the cash-in-lieu contribution. Mr. Solomon advised that there have been additions to other buildings in the Research Centre which did not require site plan and therefore were not subject to the cash-in-lieu. Mr. Solomon further suggested that the amount be calculated on the addition only and not on the total site. Mr. Solomon questioned the need for site plan approval on this project and in the interests of equity, suggested that Petro Canada be exempt from the requirement.

Councillor Lane recommended that the matter be referred back to Staff for a report on the site plan approval requirement and whether the amount should be pro-rated on the addition only. This motion was voted on and carried.

SP 227-88

See Recommendation AF-36-89 (D. Lane)

3. Report dated January 9, 1988, from the City Solicitor regarding an easement provided to the City and the Region to undertake works on Glen Oaks Blvd. The owner of the land, Venchiarutti Construction, has requested that these works be undertaken with the least possible damage and that the lands be restored to their original state. An agreement has been prepared between the three Parties to this effect.

RECOMMENDATION:

That a by-law be enacted to authorize execution of an Agreement dated April 28, 1987, between Venchiarutti Construction, the Regional Municipality and the City of Mississauga regarding an amendment of Schedule "S" to Instrument No. LT 632528 so that the lands will be restored to their original state following any work.

M-662

Approved

See Recommendation AF-37-89 (D. Culham)

4. Report dated January 18, 1988, from the City Solicitor regarding an Agreement by the Developer, Walden Circle Developments Limited, to maintain the berm constructed adjacent to the Spur Line along the east side of Walden Circle.

RECOMMENDATION:

That a by-law be enacted to authorize execution of an Agreement between Walden Circle Developments Limited and The Corporation of the City of Mississauga for the maintenance of the berm constructed adjacent to the Spur Line along the east side of Walden Circle.

CDM 87-543

Approved

See Recommendation AF-38-89 (P. Mullin)

5. Report dated January 23, 1988, from the Commissioner of Public Works regarding the license renewals for Musketeer's Billiards, 3233 Brandon Gate Drive, Mississauga.

At the Operations and Works Committee of June 15, 1988, it was requested that staff prepare an 'In Camera' report for Council on June 27, 1988, regarding the issuance of a license to Musketeer's Billiards. Council went In Camera to discuss this matter and the minutes of the meeting show that no resolution resulted.

Reports in June 1988 showed that the premises were inspected by staff of our Licensing Section on June 17, 1988, and the Billiard Hall was in a clean and satisfactory condition at that time. A further inspection was made on June 23, 1988, which also revealed that the condition of the premises was satisfactory. We also requested that the Peel Regional Health Unit make an inspection of the premises and they did so on June 21, 1988, and issued a letter of approval on June 22, 1988, (copy of letter attached).

From the June 27, 1988 date that Council discussed this matter through to the present date, staff have not received any complaints relating to this business. Furthermore, a number of inspections were conducted by staff during 1988 as well as two inspections during January 1989 and the premises were found to meet all the standards required under the By-Law. Twelve (12) video arcade machines were found on the premises compared to seven (7) found during the 1987 licensing period.

The Peel Regional Police have been contacted and cannot provide any specific information that would justify the refusal of a licence on the basis of same being contrary to the public interest. The City has been advised that 1988 had considerably less police involvement at the Plaza in question than 1987.

Staff, upon reviewing the matter using the various rules suggested by the City Solicitor in his November 1987 article in Municipal World (copy attached) and upon noting the fact the premises were in good order during 1988 and 1989 as indicated above, have concluded that the licences should be issued.

RECOMMENDATION:

That the 1988 and 1989 licences for Musketeer Billiards, 3233 Brandon Gate Drive, Mississauga, be renewed.

February 1, 1989

Councillor McKechnie inquired whether Staff had received a petition from the area residents expressing concern about the operation of this establishment. Councillor McKechnie recommended that the matter be deferred to the next meeting to provide an opportunity for the area residents to attend the meeting if they desired.

The Mayor also recommended that a complete report be prepared for that meeting outlining why this license had not been issued for so long. The motion, as amended, was voted on and carried.

L.02.04.21

Approved

See Recommendation AF-39-89 (F. McKechnie)

6.

Report dated January 19, 1988, from the Commissioner of Public Works in response to a request from the Erin Mills Development Corporation that building permits be released for those lots on Glen Erin Drive between Credit Valley Road and Highway 403 which were restricted until such time as the overpass over the 403 was completed.

The construction is well along and the anticipated completion date is July 1989. In the opinion of the Public Works Department it would be beneficial to have the house construction take place prior to the opening of Glen Erin Drive across Highway 403.

RECOMMENDATION:

That with respect to the Servicing Agreements for Plan of Subdivision 43M-683 and the Servicing Agreement for Plan 43M-709, the following apply, The Erin Mills Development Corporation (lands located at Glen Erin Drive/Highway 403):

- (a) That Item 7 (b) of Schedule 'B' of the Servicing Agreement for 43M-683 be waived;
- (b) That Item 1 (d) of Schedule 'C' of the Servicing Agreement for Plan 43M-683 be waived and Building Permits for lots 104 through 124 on Plan 43M-683 be issued providing that all of the usual requirements have been met;
- (c) That Item 1 (f) of Schedule 'C' of the Servicing Agreement for Plan 43M-709 be waived and Building Permits for lots 1 through 14 and lots 46 through 49 of Plan 43M-709 be issued providing all of the usual requirements have been met.

M-709
M-683

Approved

See Recommendation AF-40-89 (D. Lane)

7.

Report dated January 11, 1988, from the Commissioner of Public Works regarding the assumption of the municipal works for Erin Mills Neighbourhood 110, Registered Plan M-399, located north and south of Burnhamthorpe Road, and east of Mississauga.

As far as the Public Works Department is concerned, the developer has complied with all the requirements of the Engineering Agreement for the installation of municipal services in the above-mentioned plan. The remaining securities in the amount of \$121,710.27 (\$35,583.82, \$86,126.45) should be released to the developer, Cadillac Fairview Corporation Limited.

RECOMMENDATION:

- (a) That the City of Mississauga assume the municipal works as constructed by the developer under the terms of the Engineering Agreement for Erin Mills/ Neighbourhood 110, Registered Plan M-399, located east on Burnhamthorpe Road east of Mississauga Road
- (b) That the City Treasurer be authorized to return the Letters of Credit securing the Engineering Agreement for Plan M-399 (currently valued at \$35,583.82, \$86,126.45) to the developer, Cadillac Fairview Corporation Limited.
- (c) That a by-law be enacted establishing the road allowances within Registered Plan M-399 as public highway and part of the municipal system of the City of Mississauga.

M-399

Approved

See Recommendation AF-41-89 (D. Lane)

8. Report dated January 19, 1988, from the Commissioner of Public Works with respect to the McGill Street petition.

An October 12, 1988 report dealt with several items raised in a petition dated August 6, 1988 from residents of McGill Street. One of the items being the walkway link from the westerly end of McGill Street to the apartment building was deferred in order that the Public Works Department could contact the Planning Department, the Recreation & Parks Department and the School Boards to determine the need for a walkway.

The Peel Board of Education and the Recreation & Parks Department feel that the walkway serves a useful purpose and should not be closed.

RECOMMENDATION:

That the walkway connecting the westerly end of McGill Street to the apartment building at 100 Dundas Street West not be closed and that Mrs. F. Monticciolo, 134 McGill Street, Mississauga, L5A 1V2 be so advised.

E.02.14
E.02.06.01
F.03.01

Approved

See Recommendation AF-42-89 (D. Culham)

9. Report dated January 6, 1988, from the Commissioner of Public Works in respect to a request for a parking prohibition in front of the walkways on Ponytrail Drive.

Staff from the Public Works Department met with Ms. Harvey with respect to parked vehicles on Ponytrail Drive obstructing garbage pick-up at the Russet Homes Cooperative. The waste collectors are currently experiencing problems accessing the refuse when vehicles are parked in front of the walkways from this complex. It was concluded that three of the walkways require a clear access to Ponytrail Drive in order that they may be used as pick-up points for waste.

RECOMMENDATION:

That a by-law be enacted to amend By-law 444-79, as amended, to implement a 'No Parking Anytime' prohibition on the north side of Ponytrail Drive, as follows:

- (i) from a point 38 metres east of Fieldgate Drive to a point 4 metres easterly thereof;
- (ii) from a point 98 metres east of Fieldgate Drive to a point 4 metres easterly thereof;
- (iii) from a point 184 metres east of Fieldgate Drive to a point 4 metres easterly thereof.

Councillor Prentice recommended that this matter be deferred to the next meeting as she would like an opportunity to discuss it with the homeowners' association in the area. This motion was voted on and carried.

F.06.04.02

Amended

See Recommendation AF-43-89 (M. Prentice)

10. Report dated January 6, 1988, from the Commissioner of Public Works in response to a petition from the residents of Redfox Road to permit extended on-street parking for a period of 12 hours on Redfox Road.

An exemption from the 3-hour parking limit was requested to allow for overnight parking. Each of the single family homes on Redfox Road have a minimum of 200% on-site parking, including driveway and garage. Based on a review by Public Works staff it is felt that this may have been requested simply for convenience and not in the interest of traffic safety or necessity.

RECOMMENDATION:

That in accordance with City Council policy, extended 12-hour on-street parking not be implemented on Redfox Road as a minimum of 200% on-site parking is available for each property, with some area available for expansion.

F.06.04.02

Approved

See Recommendation AF-44-89 (M. Prentice)

11. Report dated January 25, 1988, from the City Clerk with respect to the permanent easement acquired for storm sewer purposes on the south side of Dundas Street East. Karolfam Properties Inc., the current owners of 2070 Dundas Street East, which is subject to the described easement, are presently arranging a mortgage and have requested the City to consider quit claiming the said easement.

The Public Works Department have reviewed the request and are in favour of granting a quit claim of the easement as alternate storm drainage has been provided to the City resulting from redevelopment in the area.

RECOMMENDATION:

That a by-law be enacted authorizing execution of a Quit Claim in favour of Karolfam Properties Inc., for a storm sewer easement described in Instrument No. 70439VS, Registered March 29, 1968 as Parts 2, 3, 5, 7, 9, 14 and 15 on deposited Reference Plan 43R-659 (Karolfam Properties Inc., 2070 Dundas Street East).

B.06.02

Approved

See Recommendation AF-45-89 (D. Culham)

12. Letter dated January 10, 1989, from Mr. B.D. Riddell, Regional Director, Ministry of Transportation and Communications in response to the following recommendation (OW-489-88) adopted by Council on December 19, 1988:

That the Ministry of Transportation be requested:

- (a) to expedite the current project for the construction of Highway 401/410 connections such that
 - (i) the construction of Highways 403/410 connection can be tendered in 1989 instead of the currently planned 1990; and
 - (ii) the construction of Highway 401 core lanes from just east to just west of Highways 403/410 can be tendered in 1990 instead of the currently planned 1991.
- (b) to review the timing of the reconstruction of the Highway 401/Hurontario Street interchange and the extension of the Highway 403/410 and to program these works immediately after the Highway 401/403/410 interchange works are completed; and
- (c) to install traffic signals at the Highway 410/Courtneypark Drive ramp terminal in conjunction with the opening of the ramp to traffic.

A.02.03.02.22

Received

See Recommendation AF-46-89 (D. Culham)

13. Report 1-89 of the Traffic Safety Council meeting held on January 25, 1989.
A.03.04.11.02
Approved
See Recommendations OW-49-89 to OW-62-89 (F. Dale)
14. Report dated January 23, 1988, from the Commissioner of Public Works regarding vehicle speeds on Balsam Avenue.

City Council at its meeting of September 12, 1988 adopted the Operations and Works Committee recommendation OW-351-88 requesting that the Peel Police provide vigorous enforcement of the 50 km/hr speed limit on Balsam Avenue over the next 60 days and have the results reported back to the Operations and Works Committee through the Public Works Department.

On the basis of the Peel Regional Police speed enforcement results, and on the results of previous studies completed by the Public Works Department, it is evident that vehicle speeds on Balsam Avenue are acceptable and that further action in the form of a posted speed reduction or the implementation of additional traffic control devices is not required.

RECOMMENDATION:

That the report dated January 23, 1989 from the Commissioner of Public Works providing information dealing with vehicle speeds and the results of the Peel Police radar enforcement program on Balsam Avenue, be received, and a copy forwarded to Mr. E. Reid of 1847 Balsam Avenue.

Councillor Mullin recommended that the speed limit be reduced to 40 km/hr on the basis that the road configuration is dangerous and the considerable pedestrian and vehicular traffic created by the school, the church and the post office. This motion was voted on and carried.

F.06.04

Amended
See Recommendation AF-47-89 (P. Mullin)
15. Report dated January 12, 1988, from the Commissioner of Public Works regarding a return of the 15 metre wide access strip located north of Britannia Road East/west of Tomken Road to the developer, Pinetree Development Co.

A condition of the servicing agreement required Block 21 to be developed in conjunction with the adjacent lands as this strip of land would serve to provide access to the adjacent lands. The City is in receipt of acceptable documentation from the Owner of the land adjacent demonstrating that the block shall be developed in conjunction with adjacent lands.

RECOMMENDATION:

That that part of Block 21 on Plan 43M-449, Pinetree Development Co. Industrial Subdivision, located north of Britannia Road East/west of Tomken Road, transferred from Pinetree Development Company Limited in favour of the City of Mississauga and registered in the Land Registry Office at Brampton on September 25, 1986, as Instrument No. LT681441 be returned to the developer, Pinetree Development Company Limited.

M-449

Approved

See Recommendation AF-48-89 (D. Culham)

Recommendations:

As per Report 3-89

Adjournment:

11:25 p.m.

THE OPERATIONS AND WORKS COMMITTEE

FEBRUARY 1, 1989

REPORT 3-89

TO: THE MAYOR AND MEMBERS OF COUNCIL

The Operations and Works Committee presents its third report and recommends:

- OW-35-89 (a) That the presentation to the Operations and Works Committee on February 1, 1989, by Mr. Edmond Meyers, General Manager of The EM Research Associates, regarding the synchronization of traffic control signals and the street numbers on buildings be received for information.
- (b) That Staff review and provide a report to the Operations and Works Committee on the policy regarding the street numbers on buildings on major arterial roads.

F.06.01
(OW-35-89)

- OW-36-89 That the request by Petro Canada Products for an exemption from the payment of monies for a future sidewalk on North Sheridan Way in connection with Site Plan Application SP-227/88W at 2489 North Sheridan Way be referred to staff for a report to the next scheduled Operations and Works Committee meeting scheduled for February 21, 1989, on the question of site plan approval and the calculation of the amount of cash-in-lieu.

SP 227-88
(OW-36-89)

- OW-37-89 That a by-law be enacted to authorize execution of an Agreement dated April 28, 1987, between Venchiarutti Construction, the Regional Municipality and the City of Mississauga regarding an amendment of Schedule "S" to Instrument No. LT 632528 so that the lands will be restored to their original state following any work.

M-662
(OW-37-89)

- OW-38-89 That a by-law be enacted to authorize execution of an Agreement between Walden Circle Developments Limited and The Corporation of the City of Mississauga for the maintenance of the berm constructed adjacent to the Spur Line along the east side of Walden Circle.

CDM 87-543
(OW-38-89)

- OW-39-89 That Staff prepare a report for the next meeting of the Operations and Works Committee scheduled for February 21, 1989, outlining the history of the non-renewal of the 1988 and 1989 licenses for Muskateer Billiards, 3233 Brandon Gate Drive, Mississauga.

L.02.04.21
(OW-39-89)

- OW-40-89 That with respect to the Servicing Agreements for Plan of Subdivision 43M-683 and the Servicing Agreement for Plan 43M-709, the following apply, The Erin Mills Development Corporation (lands located at Glen Erin Drive/Highway 403):

- (a) That Item 7 (b) of Schedule 'B' of the Servicing Agreement for 43M-683 be waived;
- (b) That Item 1 (d) of Schedule 'C' of the Servicing Agreement for Plan 43M-683 be waived and Building Permits for lots 104 through 124 on Plan 43M-683 be issued providing that all of the usual requirements have been met;
- (c) That Item 1 (f) of Schedule 'C' of the Servicing Agreement for Plan 43M-709 be waived and Building Permits for lots 1 through 14 and lots 46 through 49 of Plan 43M-709 be issued providing all of the usual requirements have been met.

M-709
M-683
(OW-40-89)

- OW-41-89 (a) That the City of Mississauga assume the municipal works as constructed by the developer under the terms of the Engineering Agreement for Erin Mills/ Neighbourhood 110, Registered Plan M-399, located east on Burnhamthorpe Road east of Mississauga Road
- (b) That the City Treasurer be authorized to return the Letters of Credit securing the Engineering Agreement for Plan M-399 (currently valued at \$35,583.82, \$86,126.45) to the developer, Cadillac Fairview Corporation Limited.
- (c) That a by-law be enacted establishing the road allowances within Registered Plan M-399 as public highway and part of the municipal system of the City of Mississauga.

M-399
(OW-41-89)

- OW-42-89 That the walkway connecting the westerly end of McGill Street to the apartment building at 100 Dundas Street West not be closed and that Mrs. F. Monticciolo, 134 McGill Street, Mississauga, L5A 1V2 be so advised.

E.02.14
E.02.06.01
F.03.01
(OW-42-89)

- OW-43-89 That the report dated January 6, 1989, from the Commissioner of Public Works with respect to a request for a parking prohibition in front of the walkways on Ponytrail Drive be deferred to the next meeting of the Operations and Works Committee scheduled for February 21, 1989.
- F.06.04.02
(OW-43-89)
- OW-44-89 That in accordance with City Council policy, extended 12-hour on-street parking not be implemented on Redfox Road as a minimum of 200% on-site parking is available for each property, with some area available for expansion.
- F.06.04.02
(OW-44-89)
- OW-45-89 That a by-law be enacted authorizing execution of a Quit Claim in favour of Karolfam Properties Inc., for a storm sewer easement described in Instrument No. 70439VS, Registered March 29, 1968 as Parts 2, 3, 5, 7, 9, 14 and 15 on deposited Reference Plan 43R-659 (Karolfam Properties Inc., 2070 Dundas Street East).
- B.06.02
(OW-45-89)
- OW-46-89 That the letter dated January 10, 1989, from Mr. B.D. Riddell, Regional Director, Ministry of Transportation and Communications in response to the following Recommendation OW-489-88 adopted by Council on December 19, 1988 requesting certain considerations from the Ministry of Transportation regarding Highway 401/410 connection; Highway 401/Hurontario Street interchange and extension of Highway 403/410; and Highway 410/Courtneypark Drive ramp.
- A.02.03.02.22
(OW-46-89)
- OW-47-89 That a by-law be enacted to amend Traffic By-law No. 444-79, as amended, to reduce the speed limit on Balsam Avenue to 40 km/h based on the fact that the roadway has poor geometrics, is substandard with no sidewalk; and the considerable pedestrian and vehicular traffic created by the proximity of the church, school and post office.
- F.06.04
(OW-47-89)

- OW-48-89 That that part of Block 21 on Plan 43M-449, Pinetree Development Co. Industrial Subdivision, located north of Britannia Road East/west of Tomken Road, transferred from Pinetree Development Company Limited in favour of the City of Mississauga and registered in the Land Registry Office at Brampton on September 25, 1986, as Instrument No. LT681441 be returned to the developer, Pinetree Development Company Limited.

M-449
(OW-48-89)

- OW-49-89 That Mrs. Gall Green, serve as Chairman of the Traffic Safety Council for a period ending November 30, 1991, or until a successor is appointed.

A.3.4.11.2
(TSC-1-1-89)

- OW-50-89 That Councillor H. E. Kennedy serve as Vice-Chairman of the Traffic Safety Council, for a period ending November 30, 1991, or until a successor is appointed.

A.3.4.11.2
(TSC-1-2-89)

- OW-51-89 That Dr. A. Wood be appointed Chairman of the Site Inspection Subcommittee of the Traffic Safety Council, for a period ending November 30, 1991, or until a successor is appointed.

A.3.4.11.2
F.06.03.02
(TSC-1-3-89)

- OW-52-89 That Mr. Greg Dell be appointed Chairman of the Traffic Safety Council Public Information Committee, for a period ending November 30, 1991, or until a successor is appointed.

A.3.4.11.2
(TSC-1-4-89)

- OW-53-89 That the presentation by Mrs. B. Schmied-Plummer, Manager of Marketing, Mississauga Transit, to the Traffic Safety Council on January 25, 1989, with regard to Mississauga Transit's school safety program, be received for information.

A.3.4.11.2
(TSC-1-5-89)

- OW-54-89 That a Crossing Guard not be placed at Netherwood Road and Clara Drive, as warrants are not met.

F.06.03.02
(TSC-1-6-89)

- OW-55-89 (a) That the "policy for reviewing requests for adult crossing guards" be amended as follows:

Under section (vi) add the following additional criteria:

- On any road supporting 6 or more through lanes of traffic, an adult crossing guard shall not be used unless the crossing is controlled by a traffic signal. Locations without traffic signals warrant other means of ensuring the safe crossing of students.

Add Section (viii).

- Consideration will be given to assigning two or more adult crossing guards on roadways supporting four or more lanes of traffic where one or more of the following factors are present: students crossing on one leg of an intersection or at a mid-block location do so in both directions; heavy volumes of turning vehicles are present; and/or heavy volumes of students cross on more than one leg of an intersection.
- (b) That the Site Inspection Committee of the Traffic Safety Council review the intersection of Eglinton Avenue and Heritage Hills Boulevard once two crossing guards are present and the students are crossing Eglinton Avenue.

F.06.03.02
A.3.4.11.2
(TSC-1-7-89)

- OW-56-89 That the report dated January 6, 1989, from the Commissioner of the Public Works Department pertaining to the condition of the intersection at Hillcrest Avenue and Parkerhill Road, be received for information.

F.06.03.02
(TSC-1-8-89)

- OW-57-89 That the Letter dated January 2, 1989, from R. J. Scott, Manager of Transportation and Assessment, The Dufferin Peel Roman Catholic Separate School Board, regarding the request to The Dufferin Peel Roman Catholic Separate School Board for temporary bussing for students attending Bishop Scalabrini Separate School, be received for information.

F.06.03.02
(TSC-1-9-89)

- OW-58-89 That the letter dated January 10, 1989, from W. H. Brown, Traffic Engineer, Operations Division, Department of Public Works, Region of Peel, regarding the pedestrian crossing time for the traffic lights at Derry Road at Montevideo Road and Copenhagen Road, be received for information.

F.06.03.02
(TSC-1-10-89)

OW-59-89 That the memo from Ian W. Scott, Commissioner of Recreation and Parks, dated January 11, 1989, regarding lighting repairs to the underpass at The Collegeway and Hornbeam Crescent, be received for information.

F.06.03.02
(TSC-1-11-89)

- OW-60-89
- a) That the Public Affairs Department, with the assistance of the Public Works Department, prepare a pamphlet on Adult Crossing Guards, aimed at the general public.
 - b) That the Public Affairs Department, should, whenever possible, promote the importance of Adult Crossing Guards, and the legalities of motorists when approaching a school crossing.
 - c) That the Public Works Department meet with senior administrative staff at the Peel Board of Education, and the Dufferin Peel Roman Catholic Separate School Board, to coordinate the relationship between the Adult Crossing Guards and the schools.
 - d) That an annual general meeting of all Adult Crossing Guards be held to provide a forum for raising and solving concerns of the Crossing Guards, and to acknowledge the work of the Crossing Guards.

F.06.03.02
(TSC-1-12-89)

OW-61-89 That Mrs. Gail Green, Peel Board of Education representative to the Traffic Safety Council, and Mrs. Dora Stewart, and Mr. Ken Basarke, Citizen Members of the Traffic Safety Council, be authorized to attend the Annual General Conference of the Ontario Traffic Conference, being held in Burlington, Ontario, Sunday, April 30, 1989, to Thursday, May 4, 1989, and further, that adequate funds be allocated in the 1989 Traffic Safety Council budget, to facilitate their attendance.

A.3.4.11.2
H.05.03
(TSC-1-13-89)

OW-62-89 That the Public Affairs Department, in consultation with the Traffic Division of the Public Works Department, develop a video or slide presentation, for use by the Traffic Safety Council, regarding the procedure used by the Site Inspection Subcommittee of the Traffic Safety Council, in carrying out traffic safety site inspections and gap studies.

A.3.4.11.2
(TSC-1-14-89)